

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

FORTY-SEVENTH DAY'S PROCEEDINGS

**Thirtieth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, June 17, 2004

The Senate was called to order at 11:00 o'clock A.M., by Hon.
Donald E. Hines, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their
names:

PRESENT

Mr. President	Dardenne	Malone
Adley	Duplessis	Marionneaux
Amedee	Dupre	Michot
Bajoie	Ellington	Mount
Barham	Fontenot	Nevers
Boasso	Gautreaux, N	Romero
Boissiere	Holden	Schedler
Cain	Hollis	Smith
Chaisson	Irons	Theunissen
Cravins	Kostelka	Ullo
Total—30		

ABSENT

Cheek	Hainkel	Jones
Fields	Heitmeier	Lentini
Gautreaux, B	Jackson	McPherson
Total—9		

The President of the Senate announced there were 30 Senators
present and a quorum.

Prayer

The prayer was offered by Pastor Robert Daulton, following
which the Senate joined in pledging allegiance to the flag of the United
States of America.

Reading of the Journal

On motion of Senator Kostelka, the reading of the Journal was
dispensed with and the Journal of yesterday was adopted.

Morning Hour

Rules Suspended

Senator Dupre asked for and obtained a suspension of the rules
for the purpose of invoking 5 minute cloture.

**Privilege Report of the
Legislative Bureau**

June 17, 2004

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following
report:

The following bills are approved as to construction and
duplication. We advise and suggest the following amendments to the
engrossed bills.

HOUSE BILL NO. 1194—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 11:2178.1(A)(2) and to enact R.S.
11:2178(N), relative to the Sheriffs' Pension and Retirement
Fund and the repealed Deferred Retirement Option Plan of the
fund; to provide for rescission of election to participate; to
provide for a rescinding member's return to active status,
including the paying of employee contributions; to provide for
forfeiture of plan benefits; to provide for an effective date; and
to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1724 (Substitute for House Bill No. 1214
by Representative Schneider)—**

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:502 and 502.2(A) and (B)(1), relative
to the Louisiana State Employees' Retirement System; to
provide for eligibility to participate in the optional retirement
plan; to provide for transfer from the optional retirement plan
to the defined benefit plan; to provide for an effective date; and
to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House
Bill No. 1724 by Representative Schneider

AMENDMENT NO. 1

On page 2, line 27, following "(a)" and before "Any" insert "(i)"

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Bajoie, the Legislative Bureau amendments
were adopted and the Bills and Joint Resolutions were read by title
and passed to a third reading.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House**DISAGREEMENT TO HOUSE BILL**

June 17, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1 by Representative Alario, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

June 17, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

**SENATE BILL NO. 523—
BY SENATOR BAJOE****AN ACT**

To enact R.S. 14:95.2.1, relative to offenses affecting public safety; to provide for the crime of illegally carrying of firearms during a parade or demonstration when used to commit certain crimes; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 535—
BY SENATOR IRONS****AN ACT**

To amend and reenact R.S. 40:1300.52(D)(1)(a) and 1300.53(A)(1)(a), relative to certain care facilities; to provide relative to criminal history; to provide relative to the conviction of certain crimes; to provide relative to employment of nonlicensed persons in certain care facilities; to prohibit such employment for persons convicted of such crimes; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 490—
BY SENATOR CRAVINS****AN ACT**

To amend and reenact R.S. 15:150(C)(1) and (F)(1) and to enact R.S. 15:150(B)(3), relative to regional defense service centers; to provide that a regional defense service center shall include a regional juvenile defense center; to grant a regional defense service center authority to contract for representation of juveniles in all courts having juvenile jurisdiction; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 209—

BY SENATOR ADLEY AND REPRESENTATIVE DOERGE

AN ACT

To amend and reenact the introductory paragraph of R.S. 17:3048.1(C)(4) and (C)(4)(a) and (c), relative to the alternative means for determining residency for Tuition Opportunity Program for Students purposes for certain dependent students who graduate from eligible Louisiana high schools and have a parent or court-ordered custodian who resides in an adjoining state; to require that a student's parent or court-ordered custodian who is a resident of a state adjoining Louisiana and resides in a county that adjoins a parish with a certain population; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 15—

BY SENATORS DUPRE, B. GAUTREAUX, N. GAUTREAUX,
MCIPHERSON AND ROMERO

AN ACT

To amend and reenact R.S. 56:326(F)(1), relative to size and possession limits of commercial fish; to provide for an affirmative defense for undersized crab violations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 375—

BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 56:115.1, relative to the definition of a legal buck deer; to provide for uniformity in regulations as to size and number of antlers which an antlered buck deer must possess in order to be legally taken; to provide for exceptions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 301—

BY SENATOR HOLDEN

AN ACT

To enact R.S. 17:24.7, relative to the functions of the state Department of Education; to require the establishment of a pilot program of extended kindergarten; to provide for the eligibility of students to participate; to provide for the nature, duration, evaluation, and continuation of the pilot program; and to provide for related matters.

Reported with amendments.

June 17, 2004

SENATE BILL NO. 654—
BY SENATOR BAJOIE

AN ACT

To amend and reenact R.S. 46:231.6(A)(1), (B), (C), and (D)(introductory paragraph), 231.7(A)(3)(a) and (D)(1), 231.8(A)(2), 231.11 and 460.5, and to repeal R.S. 46:231.6 (E), relative to FITAP eligibility and earned income disregards; to provide for a sixty-month limit of eligibility for benefits; to provide for earned income disregards; to provide for initial transitional assessments; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 310—

BY SENATORS DUPRE AND ROMERO

AN ACT

To amend and reenact R.S. 49:214.38, and to enact Part II-B of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, consisting of R.S. 49:214.52 through 214.61, inclusive, relative to coastal wetlands; to provide relative to barrier islands; to provide relative to property in the coastal zone needed for barrier island preservation, restoration, or creation for coastal wetlands purposes; to authorize certain expropriation of property; to authorize and provide certain procedures for expropriation by declaration of taking; to provide relative to authority and procedures by the state Department of Natural Resources; to set forth certain terms, conditions, and procedures for proceedings; to provide an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

Message from the House**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

June 17, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 344—

BY REPRESENTATIVE THOMPSON

A CONCURRENT RESOLUTION

To commend J.M. "Jack" Kyle, III upon the occasion of his upcoming retirement as vice president of government affairs for Union Pacific Railroad for the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 345—

BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To commend Joe Dumars, native Louisianian and president of basketball operations for the Detroit Pistons, for his outstanding career and business achievements.

HOUSE CONCURRENT RESOLUTION NO. 346—

BY REPRESENTATIVE FUTRELL

A CONCURRENT RESOLUTION

To commend Caesar Garcia of Baton Rouge upon dominating the United States diving trials and earning his first Olympic berth.

HOUSE CONCURRENT RESOLUTION NO. 347—

BY REPRESENTATIVE MARTINY AND SENATOR DUPLESSIS

A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to consider and investigate the feasibility, practicality, and effectiveness of developing educational and skills training to assist offenders with the transition back into society.

HOUSE CONCURRENT RESOLUTION NO. 348—

BY REPRESENTATIVES WHITE AND MCVEA

A CONCURRENT RESOLUTION

To commend the Zachary Community School District for its outstanding accomplishments in education.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

House Concurrent Resolutions

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 344—

BY REPRESENTATIVE THOMPSON

A CONCURRENT RESOLUTION

To commend J.M. "Jack" Kyle, III upon the occasion of his upcoming retirement as vice president of government affairs for Union Pacific Railroad for the state of Louisiana.

The resolution was read by title. Senator Barham moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Michot
Adley	Dupre	Mount
Amedee	Ellington	Nevers
Bajoie	Fontenot	Romero
Barham	Gautreaux, N	Schedler
Boasso	Hollis	Smith
Cain	Irons	Theunissen
Chaisson	Kostelka	Ullo
Cravins	Malone	
Dardenne	Marionneaux	
Total—28		

NAYS

Total—0

ABSENT

Boissiere	Hainkel	Jones
Cheek	Heitmeier	Lentini
Fields	Holden	McPherson
Gautreaux, B	Jackson	
Total—11		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 345—
BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To commend Joe Dumars, native Louisianian and president of basketball operations for the Detroit Pistons, forhis outstanding career and business achievements.

The resolution was read by title. Senator N. Gautreaux moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Michot
Adley	Dupre	Mount
Amedee	Ellington	Nevers
Bajoie	Fontenot	Romero
Barham	Gautreaux, N	Schedler
Boasso	Hollis	Smith
Cain	Irons	Theunissen
Chaisson	Kostelka	Ullo
Cravins	Malone	
Dardenne	Marionneaux	
Total—28		

NAYS

Total—0

ABSENT

Boissiere	Hainkel	Jones
Cheek	Heitmeier	Lentini
Fields	Holden	McPherson
Gautreaux, B	Jackson	
Total—11		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 346—
BY REPRESENTATIVE FUTRELL

A CONCURRENT RESOLUTION

To commend Caesar Garcia of Baton Rouge upon dominating the United States diving trials and earning his first Olympic berth.

The resolution was read by title. Senator Dardenne moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Michot
Adley	Dupre	Mount
Amedee	Ellington	Nevers
Bajoie	Fontenot	Romero
Barham	Gautreaux, N	Schedler
Boasso	Hollis	Smith
Cain	Irons	Theunissen
Chaisson	Kostelka	Ullo
Cravins	Malone	
Dardenne	Marionneaux	
Total—28		

NAYS

Total—0

ABSENT

Boissiere	Hainkel	Jones
Cheek	Heitmeier	Lentini
Fields	Holden	McPherson
Gautreaux, B	Jackson	
Total—11		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 347—
BY REPRESENTATIVE MARTINY AND SENATOR DUPLESSIS

A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to consider and investigate the feasibility, practicality, and effectiveness of developing educational and skills training to assist offenders with the transition back into society.

The resolution was read by title. Senator Hollis moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Michot
Adley	Dupre	Mount
Amedee	Ellington	Nevers
Bajoie	Fontenot	Romero
Barham	Gautreaux, N	Schedler
Boasso	Hollis	Smith
Cain	Irons	Theunissen
Chaisson	Kostelka	Ullo
Cravins	Malone	
Dardenne	Marionneaux	
Total—28		

NAYS

Total—0

ABSENT

Boissiere	Hainkel	Jones
Cheek	Heitmeier	Lentini
Fields	Holden	McPherson
Gautreaux, B	Jackson	
Total—11		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 348—
BY REPRESENTATIVES WHITE AND MCVEA

A CONCURRENT RESOLUTION

To commend the Zachary Community School District for its outstanding accomplishments in education.

The resolution was read by title. Senator Fontenot moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Michot
Adley	Dupre	Mount
Amedee	Ellington	Nevers
Bajoie	Fontenot	Romero
Barham	Gautreaux, N	Schedler
Boasso	Hollis	Smith
Cain	Irons	Theunissen
Chaisson	Kostelka	Ullo
Cravins	Malone	
Dardenne	Marionneaux	
Total—28		

NAYS

Total—0

ABSENT

Boissiere	Hainkel	Jones
Cheek	Heitmeier	Lentini
Fields	Holden	McPherson
Gautreaux, B	Jackson	
Total—11		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Senate Resolutions
on Second Reading

The following Senate Resolutions were read and acted upon as follows:

SENATE RESOLUTION NO. 147—

BY SENATOR HOLDEN

A RESOLUTION

To commend John H. Williams upon his retirement as a photo journalist.

On motion of Senator Bajoie, the resolution was read by title and returned to the Calendar, subject to call.

House Concurrent Resolutions
on Second Reading

The following House Concurrent Resolutions were read and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 58—

BY REPRESENTATIVES PINAC, LANCASTER, AND SCALISE AND SENATORS HOLLIS AND JONES

A CONCURRENT RESOLUTION

To urge and request the Joint Legislative Committee on the Budget to form a Subcommittee on Science and Technology to study science and technology issues; to seek ways to increase research and development and the availability of seed capital; to develop incentives to encourage investment; and to facilitate interactions among interested persons.

The resolution was read by title. Senator N. Gautreaux moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Michot
Adley	Dupre	Mount
Amedee	Ellington	Nevers
Bajoie	Fontenot	Romero
Barham	Gautreaux, N	Schedler
Boasso	Hollis	Smith
Cain	Irons	Theunissen
Chaisson	Kostelka	Ullo
Cravins	Malone	
Dardenne	Marionneaux	
Total—28		

NAYS

Total—0

ABSENT

Boissiere	Hainkel	Jones
Cheek	Heitmeier	Lentini
Fields	Holden	McPherson
Gautreaux, B	Jackson	
Total—11		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 306—

BY REPRESENTATIVE DANIEL

A CONCURRENT RESOLUTION

To express the intent of the Louisiana Legislature in the passage of Act No. 715 of the 2003 Regular Session relative to the retroactive effects on the ownership of improvements, including oil casings and facilities placed by a lessee or another third party on the land of another.

The resolution was read by title. Senator Romero moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Michot
Adley	Duplessis	Mount
Amedee	Dupre	Nevers
Bajoie	Ellington	Romero
Barham	Fontenot	Schedler
Boasso	Gautreaux, N	Smith
Boissiere	Hollis	Theunissen
Cain	Irons	Ullo
Chaisson	Kostelka	
Cravins	Malone	
Total—28		

NAYS

Total—0

ABSENT

Cheek	Heitmeier	Lentini
Fields	Holden	Marionneaux
Gautreaux, B	Jackson	McPherson
Hainkel	Jones	
Total—11		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 336—

BY REPRESENTATIVE DORSEY

A CONCURRENT RESOLUTION

To commend the LSU softball Lady Tigers upon the completion of the historic 2004 season.

The resolution was read by title. Senator Dardenne moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Marionneaux
Adley	Duplessis	Michot
Amedee	Dupre	Mount

Bajoie	Ellington	Nevers
Barham	Fontenot	Romero
Boasso	Gautreaux, N	Schedler
Boissiere	Hollis	Smith
Cain	Irons	Theunissen
Chaisson	Kostelka	Ullo
Cravins	Malone	
Total—29		

NAYS

Total—0

ABSENT

Cheek	Heitmeier	Lentini
Fields	Holden	McPherson
Gautreaux, B	Jackson	
Hainkel	Jones	
Total—10		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 337—

BY REPRESENTATIVE DORSEY

A CONCURRENT RESOLUTION

To commend the LSU men's and women's track and field teams for their outstanding accomplishments.

The resolution was read by title. Senator Dardenne moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Marionneaux
Adley	Duplessis	Michot
Amedee	Dupre	Mount
Bajoie	Ellington	Nevers
Barham	Fontenot	Romero
Boasso	Gautreaux, N	Schedler
Boissiere	Hollis	Smith
Cain	Irons	Theunissen
Chaisson	Kostelka	Ullo
Cravins	Malone	
Total—29		

NAYS

Total—0

ABSENT

Cheek	Heitmeier	Lentini
Fields	Holden	McPherson
Gautreaux, B	Jackson	
Hainkel	Jones	
Total—10		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 338—
BY REPRESENTATIVE SCALISE**A CONCURRENT RESOLUTION**

To urge and request the House Committee on Education and the Senate Committee on Education to meet and to function as a joint committee to study issues relative to a state takeover of a failing public school system, including but not limited to a review of state takeover policies implemented in other states, the most effective and efficient approaches to taking over a school system, the point of intervention by the state in enforcing the takeover, the length of the takeover and whether the school system will be returned to the school board or to another designated entity, and the level of state control and local influence in managing the school system during the takeover, and to report the findings of the joint committee to the legislature prior to the convening of the 2005 Regular Session.

The resolution was read by title. Senator Hollis moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Michot
Adley	Dupre	Mount
Amedee	Ellington	Nevers
Barham	Fontenot	Romero
Boasso	Gautreaux, N	Schedler
Boissiere	Hollis	Smith
Cain	Irons	Theunissen
Chaisson	Kostelka	Ullo
Cravins	Malone	
Dardenne	Marionneaux	
Total—28		

NAYS

Total—0

ABSENT

Bajoie	Hainkel	Jones
Cheek	Heitmeier	Lentini
Fields	Holden	McPherson
Gautreaux, B	Jackson	
Total—11		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 339—

BY REPRESENTATIVES MONTGOMERY, ODINET, JANE SMITH, AND HUTTER

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to erect signs on Interstates 20 and 220 in Bossier City, Louisiana, and on Interstates 10 and 510 in Chalmette, Louisiana, indicating the exits for Bossier Parish Community College and Elaine P. Nunez Community College.

The resolution was read by title. Senator Malone moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Marionneaux
Adley	Duplessis	Michot
Amedee	Dupre	Mount
Bajoie	Ellington	Nevers
Barham	Fontenot	Romero
Boasso	Gautreaux, N	Schedler
Boissiere	Hollis	Smith
Cain	Irons	Theunissen
Chaisson	Kostelka	Ullo
Cravins	Malone	
Total—29		

NAYS

Total—0

ABSENT

Cheek	Heitmeier	Lentini
Fields	Holden	McPherson
Gautreaux, B	Jackson	
Hainkel	Jones	
Total—10		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 340—

BY REPRESENTATIVE QUEZAIRE AND SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to erect appropriate directional signage along interstate highways indicating the location of regionally accredited degree-granting universities, including the University of Phoenix, licensed by the Board of Regents.

The resolution was read by title. Senator Amedee moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Marionneaux
Adley	Duplessis	Michot
Amedee	Dupre	Mount
Bajoie	Ellington	Nevers
Barham	Fontenot	Romero
Boasso	Gautreaux, N	Schedler
Boissiere	Hollis	Smith
Cain	Irons	Theunissen
Chaisson	Kostelka	Ullo

Cravins
Total—29

Malone

NAYS

Total—0

ABSENT

Cheek
Fields
Gautreaux, B
Hainkel
Total—10

Heitmeier
Holden
Jackson
Jones

Lentini
McPherson

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 341—
BY REPRESENTATIVES DORSEY AND KENNARD
A CONCURRENT RESOLUTION

To commend the LSU baseball Tigers upon winning the National Collegiate Athletic Association Super Regional and to extend best wishes for victory in the 2004 College World Series.

The resolution was read by title. Senator Dardenne moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Bajoie
Barham
Boasso
Boissiere
Cain
Chaisson
Cravins
Total—29

Dardenne
Duplessis
Dupre
Ellington
Fontenot
Gautreaux, N
Hollis
Irons
Kostelka
Malone
Marionneaux
Michot
Mount
Nevers
Romero
Schedler
Smith
Theunissen
Ullo

NAYS

Total—0

ABSENT

Cheek
Fields
Gautreaux, B
Hainkel
Total—10

Heitmeier
Holden
Jackson
Jones

Lentini
McPherson

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 342—
BY REPRESENTATIVE SMILEY

A CONCURRENT RESOLUTION

To request the Department of Transportation and Development and the Louisiana State Police to take actions to facilitate traffic flow after serious accidents on interstate highways.

The resolution was read by title. Senator Amedee moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Bajoie
Barham
Boasso
Boissiere
Cain
Chaisson
Cravins
Total—29

Dardenne
Duplessis
Dupre
Ellington
Fontenot
Gautreaux, N
Hollis
Irons
Kostelka
Malone

Marionneaux
Michot
Mount
Nevers
Romero
Schedler
Smith
Theunissen
Ullo

NAYS

Total—0

ABSENT

Cheek
Fields
Gautreaux, B
Hainkel
Total—10

Heitmeier
Holden
Jackson
Jones

Lentini
McPherson

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 343—
BY REPRESENTATIVE JOHNS

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study the feasibility of raising or lowering the monetary amount required for a jury trial and to report its recommendations for revisions to Louisiana laws relative to the monetary amount required for a jury trial.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Judiciary A.

Adoption of Legislative Bureau Report

On motion of Senator Bajoie, the Bills and Joint Resolutions were read by title and passed to a third reading.

Reports of Committees

The following reports of committees were received and read:

**SUPPLEMENTAL REPORT OF COMMITTEE ON
COMMERCE, CONSUMER PROTECTION AND
INTERNATIONAL AFFAIRS**

Senator Hollis, Chairman on behalf of the Committee on Commerce, Consumer Protection and International Affairs, submitted the following report:

June 16, 2004

To the President and Members of the Senate:

I am directed by your Committee on Commerce, Consumer Protection and International Affairs to submit the following report:

**HOUSE BILL NO. 1708 (Substitute for House Bill No. 320
by Representative Pinac)—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 34:1073, 1076, 1121, 1122(A)(1) and (2), (C)(1), and (D)(1) and (2), 1124 and 1125, to enact Part VI of Chapter 6 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:1129 through 1136, and to repeal R.S. 34:962, 966, 991.1, 1001, 1049, 1055, and 1076.1, relative to river pilots; to provide relative to the Associated Branch Pilots for the Port of Lake Charles; to provide a lien and privilege for nonpayment of pilotage fees; to create a single Pilotage Fee Commission; to provide for appointment and membership; to provide for resolution of disputes; to provide for rulemaking authority; to create the Board of Louisiana River Pilots Review and Oversight; to provide for appointment and membership; to provide for duties and responsibilities; to provide for resolution of complaints; to provide for oversight; to provide for funding; to provide for liability; to provide for judicial review; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
KEN HOLLIS
Chairman

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

Senator Hollis asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

**HOUSE BILL NO. 1708 (Substitute for House Bill No. 320
by Representative Pinac)—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 34:1073, 1076, 1121, 1122(A)(1) and (2), (C)(1), and (D)(1) and (2), 1124 and 1125, to enact Part VI of Chapter 6 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:1129 through 1136, and to repeal R.S. 34:962, 966, 991.1, 1001, 1049, 1055, and 1076.1, relative to river pilots; to provide relative to the Associated Branch

Pilots for the Port of Lake Charles; to provide a lien and privilege for nonpayment of pilotage fees; to create a single Pilotage Fee Commission; to provide for appointment and membership; to provide for resolution of disputes; to provide for rulemaking authority; to create the Board of Louisiana River Pilots Review and Oversight; to provide for appointment and membership; to provide for duties and responsibilities; to provide for resolution of complaints; to provide for oversight; to provide for funding; to provide for liability; to provide for judicial review; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection and International Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Reengrossed House Bill No. 1708 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 2 between "1122(A)(1) and (2)," and "(C)(1)," insert "(B),"

AMENDMENT NO. 2

On page 1, line 15 between "1122(A)(1) and (2)," and "(C)(1)," insert "(B),"

AMENDMENT NO. 3

On page 2, line 5 after "channels," insert "rivers,"

AMENDMENT NO. 4

On page 4, line 15 before "members," change "nine" to "eleven" and before "alternates," change "nine" to "eight"

AMENDMENT NO. 5

On page 5, line 5 delete ", and who shall be members of,"

AMENDMENT NO. 6

On page 5, line 8 after "Orleans, Inc." delete the remainder of the line and delete lines 9 through 27 and insert the following:

" , the Louisiana Association of Business and Industry, the Louisiana Chemical Association, and the Louisiana Mid-Continent Oil and Gas Association. Each group shall nominate two nominees, and the seven nominating groups will select four nominees and four alternates to be jointly submitted to the governor. No nominee submitted pursuant to this Section shall serve on the Board of Louisiana River Pilot Review and Oversight."

AMENDMENT NO. 7

On page 5, line 28 after "(3)" delete "One at-large member. Such member" and insert "Three at-large members. Those members"

AMENDMENT NO. 8

On page 6, at the end of line 2 insert the following:

"No at-large member shall have any ex parte communication with any member of any pilot association or with any member of the nominating industry groups or any other person or entity that has an interest in any issue pending before the commission except for educational purposes and during such educational time both the pilot

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association members and the industry members shall be afforded an opportunity to attend, provided that at no time a quorum is present."

AMENDMENT NO. 9

On page 6, at the end of line 3, insert the following:

"Notwithstanding any other provision of law to the contrary, the pilot fee commission members and alternates appointed pursuant to Subsections (B)(1) and (2) shall be eligible to serve on the pilot fee commission and eligible to fulfill their related duties and responsibilities."

AMENDMENT NO. 10

On page 6, line 17 after "(9) The" delete "one at-large member" and insert "three at-large members" and after "receive" delete "seventy-five" and insert "one hundred fifty"

AMENDMENT NO. 11

On page 6, at the end of line 18 insert "Additionally, such members shall be entitled to reasonable expenses as approved by the chairman."

AMENDMENT NO. 12

On page 6, between lines 21 and 22 insert the following:

"(11) Six members shall constitute a quorum.

(12) At its first meeting the commission shall determine the domicile of the commission and thereafter the domicile shall remain unless changed by statute.

(13) An alternate of a member shall serve and shall be entitled to the rights and be bound by the duties of the member when the member is unable to fulfill their duties."

AMENDMENT NO. 13

On page 6, line 22 after "C." delete the remainder of the line and delete lines 23 through 29 and on page 7, delete lines 1 through 3 and insert the following:

"All meetings of the commission shall be public, and, except as otherwise provided by law, all records of the commission shall be open to inspection. Notwithstanding the provisions of R.S. 44:1, et seq., upon request of a pilot association, member of industry, or any other person with a substantial interest as provided for in R.S. 34:1122(D), any records received by the pilot fee commission which are deemed by the pilot fee commission to be trade secret or proprietary shall be kept confidential and shall be exempt from public disclosure."

AMENDMENT NO. 14

On page 7, line 13 after "authority to" insert "hire an administrator."

AMENDMENT NO. 15

On page 7, between lines 18 and 19 insert the following:

"B.(1) Pilotage fees and rates shall provide for all ordinary and necessary operating and administrative costs and expenses, including but not limited to the cost of, replacement of, and reasonable return on investment of pilot stations, administrative offices, furniture and fixtures, communication equipment and facilities, vessels, launches and other required vehicles of transportation and the expenses of maintaining and repairing same, other transportation expenses, the expense of maintaining necessary employees, operating materials, consumables and services, pensions, pension plans, hospitalization, disability compensation, taxes and licenses, life insurance, license insurance, trade promotions when requested to participate by

industry or any port, ~~public relations~~, required continuing education, legal expense, accounting expense, professional dues, administrative and professional publications, state pilot commissions, state and federal requirements, and fair average annual compensation for a state ship pilot, in comparison to regulated state ship pilotage in other United States ports.

(2) Nothing in this Section shall authorize the inclusion of expenses for a lobbyist as defined in R.S. 24:51(5) and R.S. 49:72 or for political contributions as part of the ordinary and necessary operating and administrative costs and expenses."

AMENDMENT NO. 16

On page 8, delete lines 13 through 26 and insert the following:

"D.(1) A decision by a majority of the members of the commission shall constitute the decision of the commission. Whenever negotiation of an issue has been requested, in writing, by any two members and a majority of the commission is unable to decide the issue within ninety days of the request for negotiation, any member may certify and file, in writing, the issue with the Louisiana Public Service Commission for expedited adjudication. Upon such filing, as is provided by R.S. 34:1121(C), the Louisiana Public Service Commission shall constitute the commission."

(2) Within ninety days following the certification of the issue to the Louisiana Public Service Commission, it shall hold hearings where interested members of the fee commission may file and present their evidence and arguments, at the same time, relative to the issue. The Louisiana Public Service Commission shall render a full and final decision relative to the issue prior to the lapse of twelve months from its receipt of certification of the issue. Any requests to the commission for action shall be filed with the commission and publicly noticed in the official journals of both the state and the parish in which the fee commission is domiciled. Any party with a substantial interest who desires to participate or appear in opposition or support shall file a notice of intervention or protest with the commission within twenty-five days following the date of publication of said notice. If no notice of protest is filed within the twenty-five day period, the proceeding will continue as an uncontested matter.

(2) All appearances shall be subject to a motion to strike decided by the commission upon a showing that the party has no substantial interest in the matter.

(3) Upon notice to the parties issued by the commission, a conference shall be held to establish a schedule for discovery, motions, and a hearing on the merits.

(4) The commission shall hold a hearing on the request for action at which parties will be permitted to file and present evidence, cross-examine witnesses, and present arguments.

(5) Following the hearing, the commission shall decide the request by majority vote and issue an order that includes findings of facts and conclusions of law.

(6) When all parties to a proceeding reach agreement as to all issues or the request is uncontested, the parties shall file a proposed stipulated settlement with the commission. In such case, a stipulation hearing shall be held to introduce into evidence the proposed stipulated settlement and supporting documentation. The commission can then accept or reject the settlement.

(7) A full transcribed record of all proceedings and hearings shall be kept and compiled

(3)(a) (8) If the dispute request involves a proposed increase in fees and rates, the Louisiana Public Service Commission commission by majority vote may permit the proposed increase to be put into

effect, in whole or in part, pending its decision, subject to protective bonding and other security requirements set by ~~it~~ the commission.

(b) (9) If the ~~dispute~~ request involves a proposed increase in fees and rates and the ~~Louisiana Public Service Commission~~ commission does not permit the proposed increase to be put into effect prior to its decision, the proposed increase shall nevertheless go into effect, shall and remain in effect unless and until it reaches a full and final decision disallowing the increase, immediately following the lapse of twelve months following its receipt of certification of the dispute if it has not rendered a decision by such time, subject however, to reasonable protective bonding and other security requirements set by it.

(c) (10) If the ~~dispute~~ request involves a proposed increase in fees and rates and such has been put into effect prior to full and final decision of the issue by the ~~Louisiana Public Service Commission~~ commission and the full and final decision disallows the increase, in whole or in part, the increase which is disallowed shall be refunded in a manner as prescribed by the ~~Louisiana Public Service Commission~~ commission.

(11) Any person or entity recognized by the commission to have a substantial interest at stake in the issue by allowing them to present evidence and arguments shall have the right to appeal any final decision of the commission to the district court in the parish in which the commission is domiciled. Appeal from the district court shall be to the appellate court that has jurisdiction over decisions of that district court. Thereafter, an appeal may be taken to the supreme court. Upon request of any party with the right to appeal, the commission shall forthwith certify the entire record of the case, including the transcript of the evidence taken and testimony given, to the district court. Upon the filing of the record of the proceeding in the appellate court, the appeal shall be heard with the greatest possible expedition, giving the proceeding precedence over all other matters except those pursuant to R.S. 23:847 and Code of Civil Procedure Article. 1573 and older matters of the same character. When requested by a party and after payment of the costs, any court shall forthwith certify the entire record of the case, including the transcript of the evidence taken and testimony given to the court which has jurisdiction for the appellate review.

(12) The review shall be conducted by the court without a jury and shall be confined to the record. In cases of alleged irregularities in procedure before the commission, not shown in the record, proof thereon may be taken in the court. The court, upon request, shall hear oral argument and receive written briefs.

(13) The court may affirm the decision of the commission or remand the case for further proceedings. The court may reverse or modify the decision if substantial rights of the appellant have been prejudiced because the administrative findings, inferences, conclusions, or decisions are arbitrary or capricious."

AMENDMENT NO. 17

On page 9, line 3 after "changed by" delete "two-thirds"

AMENDMENT NO. 18

On page 9, line 5 after "\$1125." delete the remainder of the line and insert "Operation of commission; rules"

AMENDMENT NO. 19

On page 9, line 6 before "The Pilotage" insert "A. The Pilotage Fee Commission shall operate under Rule 1 through Rule 47 of the Rules of Practice and Procedure of the Louisiana Public Service Commission effective July 1, 1976, and as amended April 20, 2004, only to the

extent that any part of a rule or rules, any one or more rule or rules do not conflict with any provision of this Part and only for that period of time in which the commission has not adopted its own rules to replace Rules 1 through 47."

AMENDMENT NO. 20

On page 9, line 9 after "Part." insert the following:

"B.(1) The commission may incur necessary expenses in the discharge of the duties, functions, and responsibilities of this Part.

(2) The costs of salaries, equipment, office space, office supplies, and all of the necessary expenses for the administration, implementation, and enforcement of this Part shall be paid from self-generated funds or other funds made available to the commission for such purposes. The commission may accept grants, allocations, or appropriations for the United States Government or the state government, or donations, grants, or other forms of assistance from private foundations, or other sources."

AMENDMENT NO. 21

On page 9, line 9 before "The chairman shall" insert "C."

AMENDMENT NO. 22

On page 9, line 12 delete "two-thirds"

AMENDMENT NO. 23

On page 10, line 3 after "domiciled" delete the remainder of the line and insert "as determined by the board and thereafter the domicile shall remain unless changed by statute."

AMENDMENT NO. 24

On page 10, line 24 delete "appellant" and insert "appellate"

AMENDMENT NO. 25

On page 10, between lines 24 and 25 insert the following:

"(8) Notwithstanding any other provision of law to the contrary, the commission members appointed pursuant to Paragraphs (1) through (6) of this Subsection shall be eligible to serve on the commission and eligible to fulfill their related duties and responsibilities."

AMENDMENT NO. 26

On page 11, line 10 change "seventy-five" to "one hundred fifty" and at the end of the line after "members," insert "Additionally, the members who shall be appointed judges shall be entitled to reasonable expenses as approved by the chairman."

AMENDMENT NO. 27

On page 11, at the end of line 13 delete "49:956." and insert "49:956, to the extent that any procedure in the Administrative Procedure Act does not conflict with any provision of this Part."

AMENDMENT NO. 28

On page 11, at the end of line 17 insert "A decision by a vote of a majority of the members of the board shall constitute the decision of the board."

AMENDMENT NO. 29

On page 11, at the end of line 27 insert "to the extent that any procedure in the Administrative Procedure Act does not conflict with any provision of this Part."

AMENDMENT NO. 30

On page 14, line 19 after "Commissioners" change "and" to "or"

AMENDMENT NO. 31

On page 14, line 23 after "Commissioners" change "and" to "or"

AMENDMENT NO. 32

On page 14, line 24 after "Commissioners" change "and" to "or"

AMENDMENT NO. 33

On page 14, line 26 after "Commissioners" change "and" to "or"

AMENDMENT NO. 34

On page 14, line 27 after "Commissioners" change "and" to "or"

AMENDMENT NO. 35

On page 15, delete lines 18 through 20 and insert the following:

"Proceedings may be brought before courts of competent jurisdiction under state law in the parish in which the commission is domiciled for the purpose of contesting the validity of any decision of the board."

AMENDMENT NO. 36

On page 15, after line 23 insert the following:

"Section 4. Notwithstanding any other provisions of this Act, the provisions of the latest rate orders of the Public Service Commission shall be null and void as of the effective date of this Act only with respect to funding of any new pilots for the Associated Branch Pilots for the Port of New Orleans and the River Port Pilots for the Port of New Orleans. The approval and funding of six pilots on July 1, 2004, and six pilots on July 1, 2005, shall remain in effect from the rate order of the Public Service Commission for the New Orleans-Baton Rouge Steamship Pilots Association. The pilotage fee commission shall fund no less than fourteen pilots for the Associated Branch Pilots of the Port of Lake Charles, until December 31, 2006. The automatic tariff rate adjustment mechanism "ATRAM" in place as of the effective date of this Act shall remain in place for all pilot associations except that the New Orleans-Baton Rouge Steamship Pilots Association shall not be entitled to the consumer price index adjustment and the expense growth component for the year 2004. Subject to the provisions of this Act, the automatic tariff rate adjustment mechanisms in place as of July 1, 2004, shall remain in effect through June 30, 2005. Thereafter such filings shall be made in accordance with the rules and regulations promulgated by the pilotage fee commission. Except as otherwise provided in this Act, any reduction in the number of pilots previously authorized and funded shall occur only through attrition. No state pilot shall retain their state commission beyond the end of the calendar year in which they reach the age of seventy years old."

On motion of Senator Hollis, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

**Privilege Report of the
Legislative Bureau**

June 17, 2004

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

**HOUSE BILL NO. 1708 (Substitute for House Bill No. 320
by Representative Pinac)—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 34:1073, 1076, 1121, 1122(A)(1) and (2), (C)(1), and (D)(1) and (2), 1124 and 1125, to enact Part VI of Chapter 6 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:1129 through 1136, and to repeal R.S. 34:962, 966, 991.1, 1001, 1049, 1055, and 1076.1, relative to river pilots; to provide relative to the Associated Branch Pilots for the Port of Lake Charles; to provide a lien and privilege for nonpayment of pilotage fees; to create a single Pilotage Fee Commission; to provide for appointment and membership; to provide for resolution of disputes; to provide for rulemaking authority; to create the Board of Louisiana River Pilots Review and Oversight; to provide for appointment and membership; to provide for duties and responsibilities; to provide for resolution of complaints; to provide for oversight; to provide for funding; to provide for liability; to provide for judicial review; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

Rules Suspended

Senator Schedler asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**House Concurrent Resolutions
on Second Reading
Reported by Committees**

The following House Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 107—

BY REPRESENTATIVES BROOME AND MURRAY

A CONCURRENT RESOLUTION

To request the House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection, and International Affairs to meet and function as a joint committee to study the conditions in the Louisiana housing finance market and address the issues and concerns relative to protecting Louisiana citizens from predatory lending practices.

Reported with amendments by the Committee on Commerce, Consumer Protection and International Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Reengrossed House Concurrent Resolution No. 107 by Representative Broome

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and delete lines 3 through 23 and delete page 2 and on page 3, delete lines 1 and 2 and insert the following:

" create the Predatory Lending Prevention Task Force to study the conditions in the Louisiana housing finance market and address the issues and concerns relative to protecting Louisiana citizens from predatory lending practices.

WHEREAS, the home ownership rate has reached a record high, with nearly seventy percent of American families owning their own homes; and

WHEREAS, abusive mortgage lending has become an increasing problem in Louisiana, exacerbating the loss of equity in homes and causing the number of foreclosures to increase in recent years; and

WHEREAS, one of the more common forms of abusive lending is the making of loans that are equity-based, rather than income-based; and

WHEREAS, the financing of points and fees in these loans provides immediate income to the originators and encourages lenders to repeatedly refinance home loans; and

WHEREAS, financially strapped homeowners who are trying to stave off foreclosures, consolidate bills, pay for home improvements, or rebuild after a disaster are targeted by predatory lenders; and

WHEREAS, it is vital for the state of Louisiana to protect its citizens from being victimized by unscrupulous lending practices; and

WHEREAS, the Louisiana Legislature recognizes the need to carefully balance the goal of protecting the unknowing consumer from predatory practices with the goal of extending home ownership as widely as possible to the citizens of Louisiana; and

WHEREAS, an in-depth study of predatory practices in the housing finance market is in the best interest of the citizens of the state in order to protect their homes, which are the most important and expensive financial investments that most will make.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby establish the Predatory Lending Prevention Task Force to study the conditions in the Louisiana housing finance market and address the issues and concerns relative to protecting Louisiana citizens from predatory lending practices.

BE IT FURTHER RESOLVED that the task force be composed of the following members:

(1) Three members of the House of Representatives selected by the speaker of the House.

(2) Three members of the Senate selected by the president of the Senate.

(3) One person selected by the Louisiana Bankers Association.

(4) The attorney general or his designee.

(5) The commissioner of the Office of Financial Institutions or his designee.

(6) One person selected by the Greater New Orleans Fair Housing Action Center.

(7) One person selected by the Louisiana Consumer Finance Association.

(8) One person selected by the Louisiana Chapter of the American Association of Retired Persons.

(9) One person selected by the Association for Community Organizations for Reform Now.

(10) A representative of the Southern University College of Business.

(11) A representative of the E.J. Ourso College of Business Administration at Louisiana State University.

(12) One person selected by the Community Bankers of Louisiana.

(13) A representative of the Greater Baton Rouge Area Community Economic Development Coalition.

(14) One person selected by the Louisiana Land Title Association.

(15) One person selected by the Louisiana Mortgage Lender's Association.

BE IT FURTHER RESOLVED that the attorney general and the Office of Financial Institutions shall assist the Predatory Lending Task Force by providing information about abusive practices occurring in the housing finance market, and the sharing of such information shall not violate any confidentiality rules applicable to either agency.

BE IT FURTHER RESOLVED that the Predatory Lending Task Force shall meet on an ongoing basis to ensure that the issues and concerns are addressed in a timely manner and to suggest legislation to address those issues and concerns.

BE IT FURTHER RESOLVED that the Predatory Lending Task Force shall report the results of its investigations and deliberations along with any suggested or recommended legislation to the House and Senate Committees on Commerce prior to January 1, 2006."

On motion of Senator Hollis, the committee amendment was adopted.

The resolution was read by title. Senator Hollis moved to concur in the amended House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Marionneaux
Adley	Duplessis	Michot
Amedee	Dupre	Mount
Bajoie	Ellington	Nevers
Barham	Fontenot	Romero
Boasso	Gautreaux, N	Schedler
Boissiere	Holden	Smith
Cain	Hollis	Theunissen
Chaisson	Irons	Ullo
Cravins	Malone	
Total—29		

NAYS

Total—0

ABSENT

Cheek	Heitmeier	Lentini
Fields	Jackson	McPherson
Gautreaux, B	Jones	
Hainkel	Kostelka	
Total—10		

The Chair declared the Senate had concurred in the amended House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 206—
BY REPRESENTATIVES WALKER AND DURAND
A CONCURRENT RESOLUTION

To create the Louisiana Dental Association Task Force on Enteral Conscious Sedation to study the revisions to the Dental Practice Act regarding adult enteral conscious sedation.

Reported favorably by the Committee on Health and Welfare.

The resolution was read by title. Senator Hines moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Malone
Adley	Duplessis	Marionneaux
Amedee	Dupre	Michot
Bajoie	Ellington	Mount
Barham	Fontenot	Nevers
Boasso	Gautreaux, N	Romero
Boissiere	Holden	Schedler
Cain	Hollis	Smith
Chaisson	Irons	Theunissen
Cravins	Kostelka	Ullo
Total—30		

NAYS

Total—0

ABSENT

Cheek	Hainkel	Jones
Fields	Heitmeier	Lentini
Gautreaux, B	Jackson	McPherson
Total—9		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 256—
BY REPRESENTATIVE JACKSON
A CONCURRENT RESOLUTION

To direct all pertinent health care provider licensing boards and commissions and law enforcement and firefighters associations to provide their licensees and professionals access to comprehensive hepatitis C continuing education information.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Concurrent Resolution No. 256 by Representative M. Jackson

AMENDMENT NO. 1

On page 2, delete line 1 and insert "associations to ensure their licensees and professionals have access to comprehensive hepatitis"

On motion of Senator Bajoie, the committee amendment was adopted.

The resolution was read by title. Senator Hines moved to concur in the amended House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Malone
Adley	Duplessis	Marionneaux
Amedee	Dupre	Michot
Bajoie	Ellington	Mount
Barham	Fontenot	Nevers
Boasso	Gautreaux, N	Romero
Boissiere	Holden	Schedler
Cain	Hollis	Smith
Chaisson	Irons	Theunissen
Cravins	Kostelka	Ullo
Total—30		

NAYS

Total—0

ABSENT

Cheek	Hainkel	Jones
Fields	Heitmeier	Lentini
Gautreaux, B	Jackson	McPherson
Total—9		

The Chair declared the Senate had concurred in the amended House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 301—
BY REPRESENTATIVE TRICHE
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals, office of public health, to enforce the provisions of the state Sanitary Code relative to the protection of the public's health and the inspection of premises used to hold animals and fowls in an effort to assist in the enforcement of R.S. 14:102.19 (the crime of hog and canine fighting) as enacted by Act 111 of the 2004 Regular Session of the Legislature.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original House Concurrent Resolution No. 301 by Representative Triche

AMENDMENT NO. 1

On page 2, line 13, after "WHEREAS," delete "Governor Blanco" and insert "the governor"

AMENDMENT NO. 2

On page 2, line 19, after "to the activities" delete the remainder of the line and insert "provided for in Act 111"

AMENDMENT NO. 3

On page 2, line 25, delete "Governor Kathleen Babineaux Blanco" and insert "the governor"

On motion of Senator Bajoie, the committee amendment was adopted.

On motion of Senator Bajoie, the amended resolution was read by title and returned to the Calendar, subject to call.

Recess

On motion of Senator Bajoie, the Senate took a recess until 1:00 o'clock P.M.

After Recess

The Senate was called to order at 1:00 o'clock P.M. by the President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—38		

ABSENT

Lentini
Total—1

The President of the Senate announced there were 38 Senators present and a quorum.

Senate Business Resumed

Rules Suspended

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of taking up at this time.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

HOUSE BILL NO. 3—

BY REPRESENTATIVE HAMMETT AND SENATOR MOUNT
AN ACT

To enact the Omnibus Bond Authorization Act of 2004, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 38—

BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact Civil Code Articles 650 and 2668, Chapters 1 and 2 of Title IX of Book III of the Civil Code, to be comprised of Chapters 1 through 4 of Title IX of Book III of the Civil Code, consisting of Articles 2668 through 2729, Civil Code Article 3219, and R.S. 9:3221, to enact R.S. 9:3259.2, and to repeal Civil Code Article 3218, relative to lease and to redesignate Chapter 3 of Title IX of Book III of the Civil Code, comprised of Articles 2745 through 2777, as Chapter 5 of Title IX of Book III of the Civil Code; to provide for definitions; to provide for a contract to lease; to provide for the types of leases; to provide for things that may be leased; to provide relative to ownership; to provide for rent; to provide for the term or duration; to provide for the form; to provide relative to registry; to provide for the obligations of the lessor and lessee; to provide for delivery; to provide for errors relative to the size of an immovable leased thing; to provide for the misuse of the leased thing; to provide for liability for damages; to provide for notification of damages; to provide for expenses; to provide for the rights of the lessor and lessee relative to the attachments, additions, or improvements; to provide for the warranty against vices or defects; to provide for peaceful possession; to provide relative to subleasing; to provide for the seizure of a third person's movables; to provide relative to privileges; to provide for transfer; to provide for loss, destruction, or expropriation; to provide for termination; to provide for the death of the lessor or lessee; to provide for reconduction; to provide for a lease relative to a predial servitude; to provide for amendments; to provide for an effective date; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 109—

BY REPRESENTATIVE BAUDOIN

AN ACT

To amend and reenact R.S. 32:190(A), relative to motorcycles; to require any person who operates or rides upon a motorcycle, motor-driven cycle, or motorized bicycle to wear a safety helmet; and to provide for related matters.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Engrossed House Bill No. 109 by Representative Baudoin

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 32:190(A)" delete the remainder of the line and insert "(1) and (2) and 408(C)(1), relative to motorcycles; to require any person under the age of twenty-one who"

AMENDMENT NO. 2

On page 1, line 4, after "helmet;" insert "to provide for helmet standards; to provide for mandatory training and approval of training programs; to provide relative to a motorcycle endorsement;"

AMENDMENT NO. 3

On page 1, line 6, after "R.S. 32:190(A)" delete "is" and insert "(1) and (2) and 408(C)(1) are"

AMENDMENT NO. 4

On page 1, line 8, after "A." insert "(1)" and after "person" insert "under the age of ~~eighteen~~ twenty-one years"

AMENDMENT NO. 5

On page 1, line 10, after "helmet" delete the remainder of the line and delete line 11 and insert "that conforms to United States Department of Transportation Federal Motor Vehicle Safety Standard number 218, or 49 C.F.R. 571.218, which shall be secured"

AMENDMENT NO. 6

On page 1, line 12, after "motion." delete the remainder of the line and delete lines 13 through 19 and on page 2, delete lines 1 through 5 and insert in lieu thereof the following:

"(2) Any person ~~eighteen~~ twenty-one years of age or older who chooses not to wear a helmet as provided for in Paragraph A(1) shall be covered by a health insurance policy with medical benefits of at least ~~ten~~ two hundred fifty thousand dollars for bodily injuries and shall furnish proof of such policy to any law enforcement officer upon the request of such officer.

* * *

§408. Examination of applicants required; classes of licenses

* * *

C.(1)(a) Motorcycles, motor driven cycles, and motorized bicycles shall not be given a separate class, as such, but their use shall be provided for by making an endorsement on one of the basic classes outlined in this Section. Such an endorsement shall be made only after the applicant has taken and successfully passed tests specifically designed for the operation of such vehicles. ~~No operator's skill test shall be required if an applicant has~~ Any person applying for a

motorcycle or "M" endorsement shall be required to successfully completed complete the Motorcycle Safety, Awareness, and Operator Training Program provided in R.S. 17:282 or a motorcycle operator training course approved by the Department of Public Safety and Corrections. The Department of Public Safety and Corrections, office of motor vehicles, shall promulgate rules and regulations in accordance with the Administrative Procedure Act, as are necessary, to implement the provisions of this Paragraph.

(b) Effective January 1, 2006, the office of motor vehicles of the Department of Public Safety and Corrections shall issue a sticker for the motorcycle or "M" endorsement to be displayed in the lower left corner of the motorcycle license plate. The endorsement sticker shall bear a capital "M".

Senator Barham moved adoption of the amendments.

Senator Chaisson objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adeley	Dupre	Hollis
Barham	Ellington	Nevers
Boasso	Fontenot	Smith
Cain	Hainkel	
Total—11		

NAYS

Mr. President	Gautreaux, B	Marionneaux
Bajoie	Gautreaux, N	McPherson
Boissiere	Heitmeier	Michot
Chaisson	Holden	Mount
Cheek	Irons	Romero
Cravins	Jackson	Schedler
Dardenne	Jones	Theunissen
Duplessis	Kostelka	Ullo
Fields	Malone	
Total—26		

ABSENT

Amedee	Lentini
Total—2	

The Chair declared the amendments were rejected.

Personal Privilege

Senator Romero asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on the amendment by Senator Barham to House Bill No. 109. He voted nay on the amendment and had intended to vote yea. He asked that the Official Journal so state.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Engrossed House Bill No. 109 by Representative Baudoin

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 32:190(A)" insert "and 408(C)(1)"

AMENDMENT NO. 2

On page 1, line 4, after "helmet;" insert "to provide for mandatory training and approval of training programs; to provide relative to a motorcycle endorsement;"

AMENDMENT NO. 3

On page 1, line 6, after "R.S. 32:190(A)" delete "is" and insert "and 408(C)(1) are"

AMENDMENT NO. 4

On page 2, after line 6, insert the following:

"§408. Examination of applicants required; classes of licenses

* * *

C.(1)(a) Motorcycles, motor driven cycles, and motorized bicycles shall not be given a separate class, as such, but their use shall be provided for by making an endorsement on one of the basic classes outlined in this Section. Such an endorsement shall be made only after the applicant has taken and successfully passed tests specifically designed for the operation of such vehicles. ~~No operator's skill test shall be required if an applicant has~~ Any person applying for a motorcycle or "M" endorsement shall be required to successfully completed complete the Motorcycle Safety, Awareness, and Operator Training Program provided in R.S. 17:282 or a motorcycle operator training course approved by the Department of Public Safety and Corrections. The Department of Public Safety and Corrections, office of motor vehicles, shall promulgate rules and regulations in accordance with the Administrative Procedure Act, as are necessary, to implement the provisions of this Paragraph.

(b) Effective January 1, 2006, the office of motor vehicles of the Department of Public Safety and Corrections shall issue a sticker for the motorcycle or "M" endorsement to be displayed in the lower left corner of the motorcycle license plate. The endorsement sticker shall bear a capital "M".

* * *

Senator Barham moved adoption of the amendments.

Senator Chaisson objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Dupre	McPherson
Barham	Ellington	Nevers
Boasso	Hollis	Smith
Cain	Kostelka	
Total—11		

NAYS

Mr. President	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	Michot

Boissiere	Gautreaux, N	Mount
Chaisson	Heitmeier	Romero
Cheek	Holden	Schedler
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—26		

ABSENT

Hainkel	Lentini
Total—2	

The Chair declared the amendments were rejected.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Jones
Bajoie	Gautreaux, B	Malone
Boissiere	Gautreaux, N	Marionneaux
Chaisson	Hainkel	Michot
Cheek	Heitmeier	Mount
Cravins	Holden	Schedler
Dardenne	Hollis	Theunissen
Duplessis	Irons	Ullo
Dupre	Jackson	
Total—26		

NAYS

Adley	Cain	McPherson
Amedee	Ellington	Nevers
Barham	Fontenot	Romero
Boasso	Kostelka	Smith
Total—12		

ABSENT

Lentini
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 150—

BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact Title XII of Book III of the Civil Code, formerly consisting of Articles 2891 through 2925, to comprise Articles 2891 through 2913 and to transfer and redesignate Civil Code Article 2924 as R.S. 9:3500, relative to loan; to provide for loan for use; to provide for loan for consumption; to provide for loan on interest; to provide for definitions of loan for use and loan for consumption; to provide for the application of the rules governing obligations; to provide for things subject to loan for use; to provide for limitations of use; to provide for the ordinary

wear and tear; to provide for the liability of borrowers and lenders; to provide for fortuitous events; to provide for valuation and risk of loss; to provide for the reimbursement of expenses; to provide for the time of return of a thing lent for use; to provide for liberative prescription; to provide for ownership of a thing lent for consumption; to provide for the loan of nonfungible things; to provide for the loan of money or commodities; to provide for the term of a loan for consumption; to provide for restoration; to provide for payment of value; to provide for the payment and release of legal interest; to provide for the transfer and redesignation of certain laws; to provide authority for the correction of certain cross-references; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Kostelka moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Adley	Fontenot	Mount
Amedee	Gautreaux, B	Nevers
Bajoie	Hainkel	Romero
Barham	Heitmeier	Schedler
Boasso	Hollis	Smith
Cain	Irons	Theunissen
Chaisson	Jackson	Ullo
Duplessis	Kostelka	
Dupre	Malone	
Total—28		

NAYS

Total—0

ABSENT

Boissiere	Fields	Lentini
Cheek	Gautreaux, N	Marionneaux
Cravins	Holden	McPherson
Dardenne	Jones	
Total—11		

The Chair declared the bill was passed. The title was read and adopted. Senator Kostelka moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 229—

BY REPRESENTATIVE QUEZAIRE (BY REQUEST)

AN ACT

To repeal R.S. 17:81(O), relative to certain local school board expenditures; to repeal the requirement that expenditures by city, parish, and other local public school boards to reimburse school board members for certain travel and related expenses be in accordance with travel regulations prescribed by the division of administration for state executive branch employees.

The bill was read by title. Senator Amedee moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Adley	Fontenot	Mount
Amedee	Gautreaux, B	Nevers
Bajoie	Heitmeier	Romero
Barham	Hollis	Schedler
Cain	Irons	Smith
Chaisson	Jackson	Theunissen
Duplessis	Kostelka	Ullo
Dupre	Malone	
Total—26		

NAYS

Boasso	Hainkel
Total—2	

ABSENT

Boissiere	Fields	Lentini
Cheek	Gautreaux, N	Marionneaux
Cravins	Holden	McPherson
Dardenne	Jones	
Total—11		

The Chair declared the bill was passed. The title was read and adopted. Senator Amedee moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 255—

BY REPRESENTATIVE BADON AND WALSWORTH

AN ACT

To amend and reenact R.S. 14:32.1(B), relative to vehicular homicide; to provide for criminal penalties; and to provide for related matters.

The bill was read by title. Senator Duplessis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fontenot	Michot
Bajoie	Gautreaux, B	Mount
Barham	Hainkel	Nevers
Boasso	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—30		

NAYS

Total—0

	ABSENT	
Boissiere	Fields	Lentini
Cheek	Gautreaux, N	Marionneaux
Cravins	Holden	McPherson
Total—9		

The Chair declared the bill was passed. The title was read and adopted. Senator Duplessis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 292—

BY REPRESENTATIVE DORSEY

AN ACT

To enact R.S. 15:831(E), relative to medical care of inmates; to require the secretary of the Department of Public Safety and Corrections to adopt rules for the monitoring of diets of inmates diagnosed with a medical condition or disease; and to provide for related matters.

On motion of Senator Irons, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 353—

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact Civil Code Article 2818, relative to partnerships; to provide for the causes of cessation of membership; to provide for plans of liquidation or appointments of trustees; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 421—

BY REPRESENTATIVE BEARD

AN ACT

To enact R.S. 44:3.2, relative to public records; to exempt certain proprietary and trade secret information from the laws relative to public records; to provide for certain determinations by a custodian; to provide for certain notification procedures; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fontenot	Michot
Bajoie	Gautreaux, B	Mount
Barham	Gautreaux, N	Nevers
Boasso	Hainkel	Romero
Cain	Heitmeier	Schedler
Chaisson	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo

Duplessis	Jones
Total—32	
	NAYS
Total—0	
	ABSENT

Boissiere	Holden	McPherson
Cheek	Lentini	
Fields	Marionneaux	
Total—7		

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 444—

BY REPRESENTATIVE FAUCHEUX (BY REQUEST)

AN ACT

To enact Civil Code Article 32, relative to persons; to provide for the definition of minority; and to provide for related matters.

The bill was read by title. Senator Dupre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. President	Duplessis	Ullo
Cain	Dupre	
Chaisson	Jones	
Total—7		
	NAYS	
Adley	Gautreaux, B	Michot
Amedee	Hainkel	Mount
Barham	Heitmeier	Nevers
Boasso	Hollis	Romero
Cravins	Irons	Schedler
Dardenne	Jackson	Smith
Ellington	Kostelka	Theunissen
Fontenot	Malone	
Total—23		
	ABSENT	
Bajoie	Fields	Lentini
Boissiere	Gautreaux, N	Marionneaux
Cheek	Holden	McPherson
Total—9		

The Chair declared the bill failed to pass. Senator Dardenne moved to reconsider the vote by which the bill failed to pass and laid the motion on the table.

HOUSE BILL NO. 488—

BY REPRESENTATIVE LAFLEUR

AN ACT

To amend and reenact R.S. 44:20(B) and to enact R.S. 44:20(C), relative to the recordation of discharge records from the armed forces; to provide for exemption of certain military discharge records from the public records law; to provide for release of certain military discharge records to the veteran and certain other persons; to provide for the limited release of other military discharge records; and to provide for related matters.

The bill was read by title. Senator Cravins moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Hainkel	Mount
Boasso	Heitmeier	Nevers
Cain	Hollis	Romero
Chaisson	Irons	Schedler
Cheek	Jackson	Smith
Cravins	Jones	Theunissen
Dardenne	Kostelka	Ullo
Total—33		

NAYS

Total—0

ABSENT

Boissiere	Fields	Holden
Duplessis	Gautreaux, N	Lentini
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Cravins moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 507—

BY REPRESENTATIVES MARCHAND AND MURRAY

AN ACT

To amend and reenact R.S. 13:2500(C) and to enact R.S. 33:4881, relative to Orleans Parish; to provide with respect to the powers of judges of the Municipal Court of New Orleans; to increase the monetary penalty which may be imposed for the violation of a municipal ordinance; to provide with respect to maximum penalties that can be imposed by ordinance in Orleans Parish; to authorize the governing authority for the parish of Orleans to provide for a fine and a sentence of imprisonment for violation of any ordinance prohibiting the dumping of trash and other substances; to provide with respect to such substances; to specify those places where dumping may be so penalized; and to provide for related matters.

Floor Amendments Sent Up

Senator Duplessis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Duplessis to Reengrossed House Bill No. 507 by Representative Marchand

AMENDMENT NO. 1

On page 1, line 5 before “municipal” change “a” to “certain” and “ordinance” to “ordinances”

AMENDMENT NO. 2

On page 1, line 19 after “ordinance” insert “prohibiting the dumping of trash, debris, refuse, garbage, other solid and liquid waste, greases, and oils, such as but not limited to cooking oil and fats, motor oil, antifreeze, truck and automotive fluids, paint, paint thinners, and gasoline into drainage culverts, lines, or canals, upon any public place within the parish, upon private property within the parish not owned by the person accused of the violation, upon property owned or controlled by the parish, or in or on the waters within the parish, whether from a vehicle or otherwise, including but not limited to any public highway, public park, beach, camp ground, forest land, recreational area, trailer park, highway, road, street, or alley.”

AMENDMENT NO. 3

On page 1, line 20 before “parish” change “a” to “such”

AMENDMENT NO. 4

On page 2, line 1 change “ordinance” to “ordinances”

On motion of Senator Duplessis, the amendments were adopted.

The bill was read by title. Senator Duplessis moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—38		

NAYS

Total—0

ABSENT

Lentini
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Duplessis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 510—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact R.S. 18:1505.2(Q), relative to campaign contribution limits; to provide for certain limitations on contributions to candidates and political committees participating in the election of the commissioner of insurance from certain legal persons under the jurisdiction of the Department of Insurance; to provide for certain limitations on contributions to candidates and political committees participating in the election of a public service commissioner from certain legal persons under the jurisdiction of the Public Service Commission; to prohibit such persons from compelling or coercing contributions from others; to provide for penalties for persons who violate these provisions; and to prohibit candidates and political committees participating in the election of a public service commissioner or the commissioner of insurance from accepting contributions in violation of these provisions; to prohibit such candidates and political committees from compelling or coercing contributions from others; and to provide for related matters.

The bill was read by title. Senator Adley moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Dupre	Kostelka	
Total—37		

NAYS

Barham
Total—1

ABSENT

Lentini
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Adley moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 549—
BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 14:98(D)(1) and (3)(a)(introductory paragraph) and (iii) and (E)(1) and (3)(a)(introductory paragraph) and (iii), relative to driving while intoxicated; to provide with respect to criminal penalties for third, fourth, and subsequent offenses of operating a vehicle while intoxicated; to provide with respect to substance abuse treatment; to provide with respect to probation; to provide with respect to home incarceration; and to provide for related matters.

The bill was read by title. Senator Dupre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boasso	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—33		

NAYS

Kostelka
Total—1

ABSENT

Boissiere	Fields	Lentini
Cravins	Holden	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 554—
BY REPRESENTATIVE PINAC
AN ACT

To enact R.S. 9:3527(C)(2), relative to consumer credit delinquency charges; to provide for determination of delinquency; to prohibit the collection of delinquency charges in certain instances; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Mount
Barham	Gautreaux, N	Nevers
Boasso	Hainkel	Romero
Cain	Heitmeier	Schedler
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—34		

NAYS

Total—0

ABSENT

Boissiere	Holden	Michot
Fields	Lentini	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 763—

BY REPRESENTATIVE SALTER
AN ACT

To amend and reenact Section 2 of Act No. 1341 and Section 3 of Act No. 1342 both of the 1999 Regular Session as amended and reenacted by Act No. 338 of the 2001 Regular Session; to specify time periods to be used for the calculation of cost savings to city, parish, and other local public school boards, state schools for the deaf, blind, spastic, and cerebral palsied, and in Special School District Number One resulting from the elimination of statutory provisions relative to extended sick leave and rest and recuperation sabbatical leaves for certain school employees; to require that such saved monies be included in the minimum salary schedules used by the school system or state school to compensate teachers; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Nevers moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Kostelka
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson

Cain	Gautreaux, B	Mount
Chaisson	Gautreaux, N	Nevers
Cheek	Heitmeier	Romero
Cravins	Irons	Smith
Duplessis	Jackson	Ullo
Dupre	Jones	
Total—26		

NAYS

Adley	Hainkel	Schedler
Barham	Hollis	Theunissen
Boasso	Malone	
Dardenne	Michot	
Total—10		

ABSENT

Boissiere	Holden	Lentini
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Nevers moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Hines asked for and obtained a suspension of the rules for the purpose of allowing Governor Kathleen Blanco to address the Senate.

**House Bills and Joint Resolutions on
Third Reading
and Final Passage, Resumed**

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Senator Amedee in the Chair

HOUSE BILL NO. 766—

BY REPRESENTATIVES GALLOT AND ANSARDI
AN ACT

To enact R.S. 13:750 and 750.1, relative to limitations of liability; to provide relative to limitations of liability for clerks of court; to provide relative to personal liability of clerks, deputy clerks, and employees; to provide for a peremptive period; and to provide for related matters.

The bill was read by title. Senator Kostelka moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Dupre	Kostelka
Amedee	Ellington	Malone
Bajoie	Fields	Marionneaux
Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot

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Boissiere	Gautreaux, N	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Hainkel	Lentini
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Kostelka moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 877—

BY REPRESENTATIVE DORSEY
AN ACT

To enact R.S. 46:1844(K)(2)(g), relative to rights of crime victims; to provide with respect to the victim impact statement; to provide with respect to its content; and to provide for related matters.

The bill was read by title. Senator Fields moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—38		

NAYS

Total—0

ABSENT

Lentini
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Fields moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 993—

BY REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 17:3351(A)(5)(b)(vii), relative to the powers, duties, and responsibilities of public postsecondary education management boards; to extend the authority of such boards relative to the establishment of tuition and mandatory fee amounts for resident students; and to provide for related matters.

On motion of Senator Dardenne, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 1005—

BY REPRESENTATIVES MONTGOMERY AND CURTIS
AN ACT

To amend and reenact R.S. 11:2175(E)(1), relative to the Sheriffs' Pension and Relief Fund; to provide an earnings limitation for retirees who return to part-time employment; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux, B	Mount
Boasso	Gautreaux, N	Nevers
Boissiere	Heitmeier	Romero
Cain	Holden	Schedler
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—37		

NAYS

Hainkel
Total—1

ABSENT

Lentini
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1007—

BY REPRESENTATIVES SCHNEIDER AND MONTGOMERY
AN ACT

To amend and reenact R.S. 11:2178.1(A), (B), and (C)(4), (5), (8), and (9), relative to the Sheriffs' Pension and Relief Fund; to provide relative to the Back-Deferred Retirement Option Plan; to provide for return of employee contributions; to provide for transfer of employee contributions made during Back-Deferred Retirement Option Plan participation to the member's Back-Deferred Retirement Option Plan account; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux, B	Mount
Boasso	Gautreaux, N	Nevers
Boissiere	Hainkel	Romero
Cain	Heitmeier	Schedler
Chaisson	Holden	Smith
Cheek	Hollis	Theunissen
Cravins	Irons	Ullo
Dardenne	Jackson	
Duplessis	Jones	
Total—37		

NAYS

Total—0

ABSENT

Kostelka	Lentini
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1008—

BY REPRESENTATIVES SCHNEIDER AND MONTGOMERY
AN ACT

To amend and reenact R.S. 11:2178(M), relative to the Sheriffs' Pension and Relief Fund; to provide a nonrecurring lump-sum benefit if a cost-of-living adjustment is not payable; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—38		

NAYS

Total—0

ABSENT

Lentini
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1009—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 11:1561, relative to the Clerks' of Court Retirement and Relief Fund; to provide with respect to demand upon the state treasurer for delinquent dedicated tax revenue; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 1030—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 45:844.11, 844.13(A), and 844.14(A)(2) and (4) and (C) and to enact R.S. 45:844.12(6) and (7) and 844.16, relative to Telephonic Solicitation Relief Act; to provide for use of the Federal Do Not Call Registry in combination with the state "do not call" listing; to provide for definitions; to provide regarding registration, application, and bonding; to provide for fees; and to provide for related matters.

Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Reengrossed House Bill No. 1030 by Representative Pinac

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 3 proposed by the Senate Committee on Commerce, Consumer Protection and International Affairs and adopted by the Senate on June, 16, 2004.

On motion of Senator Cravins, the amendments were adopted.

The bill was read by title. Senator Michot moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Dupre	Kostelka
Amedee	Ellington	Malone
Bajoie	Fields	Marionneaux
Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Hainkel	Lentini
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1084—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 11:1481(1)(a)(ii) and to enact R.S. 11:1481(1)(a)(iii), relative to payments to the Louisiana Assessors' Retirement Fund; to provide for board certification of receipt of remission of taxes; to provide for certification to the legislative auditor of any shortfall in taxes remitted and the cause therefor; to provide for certification by the legislative auditor of the shortfall; to provide for remedies for failure to remit taxes to the fund including additional payments by the delinquent entity; to authorize the board to make demand upon the treasurer for any continued failure to remit taxes due the fund; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Engrossed House Bill No. 1084 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 4, after "taxes" insert "to provide for the submission of reports by ad valorem tax recipient agencies, municipalities and parishes;"

AMENDMENT NO. 2

On page 2, line 5, at the beginning of the line after "(ii)" insert:

(aa) "All tax recipient agencies of ad valorem taxes of each and every parish and municipality of the state of Louisiana, including the police jury, council, commission, school board, levee district, special districts, municipalities and all tax recipients of any nature whatsoever of ad valorem taxes are hereby required to furnish the legislative auditor the authorizing ordinances or resolutions, the tax rolls, and the tax rate to be applied to the assessed values for ad valorem tax purposes no later than June first of every year."

AMENDMENT NO. 3

On page 2, lines 5, change "~~(aa)~~" to "(bb)"

AMENDMENT NO. 4

On page 2, line 11, change "~~(bb)~~" to "(cc)"

AMENDMENT NO. 5

On page 2, line 16, change "~~(ee)~~" to "(dd)"

On motion of Senator Barham, the amendments were adopted.

The bill was read by title. Senator Barham moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Michot
Adley	Gautreaux, B	Mount
Amedee	Gautreaux, N	Nevers
Barham	Heitmeier	Romero
Boasso	Hollis	Schedler
Cheek	Jackson	Smith
Cravins	Kostelka	Theunissen
Dardenne	Malone	Ullo
Dupre	Marionneaux	
Ellington	McPherson	
Total—28		

NAYS

Bajoie	Fields	Irons
Boissiere	Hainkel	Jones
Duplessis	Holden	
Total—8		

ABSENT

Cain	Chaisson	Lentini
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1175—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 11:3639 and to enact R.S. 11:2227(D)(1)(d) and 3635.1, relative to police pension funds and retirement systems; to provide for payment of employer contributions for the city of New Orleans to the Municipal Police Employees' Retirement System; to provide for dedication of certain funds to such system; to provide for the operating expenses of the pension fund for the police department of New Orleans; to provide for actuarial determination of assets and liabilities of the fund; to provide for disbursement of such assets; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—38		

NAYS

Total—0

ABSENT

Lentini
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1188—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 11:1402(6), 1410(B), 1412, 1457(C)(3) and (4), 1458(B)(1) and (2)(a) and (b), (3), and (4), (D), and (E) and to enact R.S. 11:1411(D), relative to the Assessors'

Retirement Fund; to provide with respect to tax qualification of the system; and to provide for related matters.

The bill was read by title. Senator Theunissen moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Amedee	Ellington	McPherson
Bajoie	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux, N	Nevers
Boissiere	Heitmeier	Romero
Cain	Holden	Schedler
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Total—35		

NAYS

Hainkel
Total—1

ABSENT

Gautreaux, B	Kostelka	Lentini
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Theunissen moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1202—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 27:301(B)(12), relative to the definition of a restaurant; to amend the definition of a restaurant as provided for in the Video Draw Poker Devices Control Law; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Jackson
Amedee	Dupre	Jones
Bajoie	Fontenot	Marionneaux
Boissiere	Gautreaux, B	McPherson
Chaisson	Gautreaux, N	Michot

Cheek	Heitmeier	Romero
Cravins	Holden	Theunissen
Dardenne	Hollis	Ullo
Total—24		

NAYS

Adley	Ellington	Malone
Barham	Fields	Nevers
Boasso	Hainkel	Schedler
Cain	Kostelka	Smith
Total—12		

ABSENT

Irons	Lentini	Mount
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Fontenot asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 1202. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

HOUSE BILL NO. 1215—

BY REPRESENTATIVES LAFLEUR AND CAZAYOUX
AN ACT

To amend and reenact R.S. 42:1157(A)(4) and to enact R.S. 42:1114.2, relative to ethics; to require the disclosure of certain expenditures of certain persons having or seeking certain relationships with a state or statewide public retirement system; to provide for enforcement; to provide for penalties; and to provide for related matters.

Floor Amendments Sent Up

Senator Bajoie sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Reengrossed House Bill No. 1215 by Representative Lafleur

AMENDMENT NO. 1

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on June 16, 2004, on line 17, after "shall" change "public" to "publish" and on line 19, after "update" change "theses" to "these"

On motion of Senator Bajoie, the amendments were adopted.

The bill was read by title. Senator Dardenne moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Jones
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Total—36		

NAYS

Total—0

ABSENT

Duplessis	Kostelka	Lentini
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1267—

BY REPRESENTATIVE GLOVER
AN ACT

To enact R.S. 9:2800.14, relative to administrative procedure; to create an application process for compensation for wrongful conviction and imprisonment; to provide for compensation; to create the Innocence Compensation Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; to provide procedures for filing an application; to provide for the period of time in which the application shall be filed; and to provide for related matters.

On motion of Senator Jackson, the bill was read by title and returned to the Calendar, subject to call.

Mr. President in the Chair**HOUSE BILL NO. 1306—**

BY REPRESENTATIVES SCHNEIDER AND MONTGOMERY
AN ACT

To amend and reenact R.S. 11:2178.1(C)(9)(a), relative to the Deferred Retirement Option Plan and the Back-Deferred Retirement Option Plan of the Sheriffs' Pension and Relief Fund; to provide for interest on balances in plan accounts; to provide an effective date; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux, B	Mount
Boasso	Gautreaux, N	Nevers
Boissiere	Hainkel	Romero
Cain	Heitmeier	Schedler
Chaisson	Holden	Smith
Cheek	Hollis	Theunissen
Cravins	Irons	Ullo
Dardenne	Jones	
Duplessis	Kostelka	

Total—37

NAYS

Total—0

ABSENT

Jackson	Lentini
---------	---------

Total—2

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1327—

BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 17:2354(F), relative to anatomical gifts; to provide for the manner in which a gift may be made; to correct a statutory reference; and to provide for related matters.

The bill was read by title. Senator McPherson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	

Total—38

NAYS

Total—0

ABSENT

Lentini
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1331—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 37:575(A)(1), 589, 593, 599(A)(2)(f)(iv) and (A)(7) and to enact R.S. 37:587, 591(D), and 599(A)(9), relative to cosmetology; to provide relative to the sale of immovable property; to provide for certification of records; to require licensed managers; to provide exceptions for services outside the licensed facility; to provide regarding booth rental permits; to provide for fees; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	

Total—38

NAYS

Total—0

ABSENT

Lentini
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1489—

BY REPRESENTATIVE JOHNS

AN ACT

To enact R.S. 6:966.1, relative to default remedies; to provide for a notice of repossession; to provide for contents of the notice; to provide for fees; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—38		

NAYS

Total—0

ABSENT

Lentini
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1508—

BY REPRESENTATIVE GRAY

AN ACT

To amend and reenact Children's Code Article 810 and to enact Children's Code Article 809(E) and (F), relative to juvenile delinquency proceedings; to provide for the appointment of counsel and notice of such appointment; to provide with respect to a waiver of right to counsel in such proceedings; to provide for circumstances in which the right to counsel shall not be waived; and to provide for related matters.

The bill was read by title. Senator Holden moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Amedee	Gautreaux, B	McPherson
Boissiere	Gautreaux, N	Michot
Chaisson	Heitmeier	Mount
Cheek	Holden	Romero
Cravins	Hollis	Schedler
Duplessis	Irons	Smith
Dupre	Jackson	Theunissen
Ellington	Jones	Ullo
Total—30		

NAYS

Barham	Dardenne	Nevers
Boasso	Hainkel	
Cain	Kostelka	
Total—7		

ABSENT

Bajoie
Total—2
Lentini

The Chair declared the bill was passed. The title was read and adopted. Senator Holden moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1551—

BY REPRESENTATIVES HEATON, DARTEZ, DORSEY, FARRAR, RICHMOND, AND SMILEY

AN ACT

To amend and reenact R.S. 46:2140, relative to family violence; to provide for guidelines for law enforcement officers to use in determining the predominant aggressor for arrest purposes; and to provide for related matters.

The bill was read by title. Senator Dupre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—38		

NAYS

Total—0

ABSENT

Lentini
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1595—
BY REPRESENTATIVE CROWE
AN ACT

To amend and reenact R.S. 15:541(14.1) and to enact R.S. 14:283.1, relative to sex offenses; to create the crime of voyeurism; to provide for criminal penalties; to provide with respect to sex offender registration and notification requirements; to provide with respect to the definition of "sex offense"; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boasso	Hainkel	Nevers
Boissiere	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Dupre	Kostelka	
Total—37		

NAYS

Cain
Total—1

ABSENT

Lentini
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Cain asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 1595. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

HOUSE BILL NO. 1604—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To enact R.S. 32:662.1, relative to evidence; to provide for the admissibility of certificates and writings made in accordance with provisions of law governing chemical testing of suspected drunken drivers; to provide with respect to prima facie proof; to require that notice be given to opposing parties; to provide for the opportunity to cross-examine experts; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—38		

NAYS

Total—0

ABSENT

Lentini
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1627—
BY REPRESENTATIVE MARCHAND
AN ACT

To enact R.S. 40:1299.25, relative to lead poisoning prevention and control; to provide for the identification of high-risk areas by the Department of Health and Hospitals; and to provide for related matters.

The bill was read by title. Senator McPherson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Jones
Adley	Dupre	Kostelka
Amedee	Ellington	Malone
Bajoie	Fields	Marionneaux
Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Total—36		

NAYS

Total—0

ABSENT

Hainkel	Lentini	Ullo
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1695 (Substitute for House Bill No. 1085 by Representative Murray)—
 BY REPRESENTATIVES MURRAY AND JEFFERSON
 AN ACT

To amend and reenact R.S. 9:355.5, 355.8, 355.12(A)(6), and 355.13 and to repeal R.S. 9:355.12(A)(10), relative to relocating the residence of a child; to eliminate certain determining factors; to provide for court authorization; to prohibit certain persons from objecting; to provide for the burden of proof; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

HOUSEBILL NO. 1704 (Substitute for House Bill No. 23 by Representative Faucheux)—
 BY REPRESENTATIVES TOWNSEND AND FAUCHEUX
 AN ACT

To amend and reenact R.S. 26:73(G) and 272(G), relative to the issuance of certain alcoholic beverage permits for a restaurant located in a specified location; requires the issuance of a Class A Retail Liquor Permit and a Class "R" permit for alcohol of a high and low content for a restaurant located in a specified historic area; and to provide for related matters.

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Engrossed House Bill No. 1704 by Representative Townsend

AMENDMENT NO. 1

On page 1, line 2 after "272(G)" insert "and R.S.26:90(A)(3)(a)"

AMENDMENT NO. 2

On page 1, line 8 after "272(G)" insert "and R.S.26:90(A)(3)(a)"

AMENDMENT NO. 3

On page 2, after line 24 insert the following:

"§90. Acts prohibited on licensed premises; suspension or revocation of permits

A. No person holding a retail dealer's permit and no agent, associate, employee, representative, or servant of any such person shall do or permit any of the following acts to be done on or about the licensed premises:

* * *

(3)(a) Intentionally entice, aid, or permit any person under the age of eighteen years to visit or loiter in at any time or about any place which is open to the public where alcoholic beverages or beer are the principal commodities sold, handled, or given away, whether or not the alcoholic beverages or beer is served on the particular day or at the particular time that the person under the age of eighteen years is present. The provisions of this Section shall in no way prohibit the presence of any person under the age of eighteen years on or about a licensed premises for any function sponsored by a religious or charitable organization with tax exempt status under Section 501(3) of the Internal Revenue Code of the United States, or by a fraternal beneficiary society with tax exempt status under 501(8) of the said code, and no alcoholic beverages are sold, handled, given away, or accessible during the presence of any such person.

* * *

Senator Cain moved adoption of the amendments.

Senator Holden objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Fontenot	Mount
Barham	Gautreaux, B	Nevers
Boasso	Gautreaux, N	Romero
Boissiere	Hainkel	Schedler
Cain	Heitmeier	Smith
Chaisson	Hollis	Theunissen
Cheek	Irons	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—34		

NAYS

Cravins	Holden
Total—2	

ABSENT

Jackson Lentini Michot
Total—3

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Irons sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Irons to Engrossed House Bill No. 1704 by Representative Townsend

AMENDMENT NO. 1

On page 2, line 2, after “Interior.” insert “However, in no event shall the geographical area include the Vieux Carre Section or Vieux Carre Commission of the city of New Orleans.”

AMENDMENT NO. 2

On page 2, line 20, after “Interior.” insert “However, in no event shall the geographical area include the Vieux Carre Section or Vieux Carre Commission of the city of New Orleans.”

On motion of Senator Irons, the amendments were adopted.

The bill was read by title. Senator Chaisson moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux, B	Mount
Boasso	Gautreaux, N	Nevers
Boissiere	Hainkel	Romero
Cain	Heitmeier	Schedler
Chaisson	Irons	Smith
Cheek	Jackson	Theunissen
Cravins	Jones	Ullo
Duplessis	Kostelka	
Dupre	Malone	
Total—34		

NAYS

Adley
Total—1

ABSENT

Dardenne Hollis
Holden Lentini
Total—4

The Chair declared the amended bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1711 (Substitute for House Bill No. 913 by Representative Wooton)—

BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 56:10(B)(1)(b) and 305(G) and to enact R.S. 56:305(H) and 506.1, relative to the commercial shrimp industry; to provide for additional fees for the purchase of commercial shrimp gear licenses; to create the Shrimp Trade Petition Account in the Conservation Fund; to provide for revenues and expenditures; to provide for additional fees for wholesale/retail seafood dealers licenses; and to provide for related matters.

The bill was read by title. Senator Dupre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Cain Hainkel Lentini
Total—3

The Chair declared the bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1717 (Substitute for House Bill No. 1554 by Representative Walsworth)—

BY REPRESENTATIVES WALSWORTH AND KATZ

AN ACT

To enact R.S. 32:387.17, relative to special permits; to authorize issuance of special permits for trucks hauling containerized cargo intended for international trade; to authorize the Department of Transportation and Development to promulgate certain rules and regulations; to provide for certain limitations; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—38		

NAYS

Total—0

ABSENT

Lentini
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1722 (Substitute for House Bill No. 408 by Representative Flavin)—

BY REPRESENTATIVE FLAVIN

AN ACT

To enact R.S. 46:2304, relative to Indian gaming compacts; to provide for notice to affected parish governing authorities prior to the governor signing a Tribal-State Class III gaming compact; to provide for definitions; and to provide for related matters.

The bill was read by title. Senator Theunissen moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers

Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—38		

NAYS

Total—0

ABSENT

Lentini
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Theunissen moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1725 (Substitute for House Bill No. 323 by Representative Pinac)—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:969.37, relative to the Louisiana Motor Vehicle Sales Finance Act; to provide relative to licensing for consumer loans and consumer credit sales; to provide for hearings; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—38		

NAYS

Total—0

ABSENT

Lentini
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Jones asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Reports of Committees

The following reports of committees were received and read:

CONFERENCE COMMITTEE REPORT

House Bill No. 1015 By Representatives Lancaster, Broome, Hammett, Salter, and Thompson

June 14, 2004

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 1015 by Representatives Lancaster, Broome, Hammett, Salter, and Thompson, recommend the following concerning the reengrossed bill:

1. That Senate Committee Amendments Nos. 1, 2, 3, 4, 5, 8, 9, and 12 proposed by the Senate and Governmental Affairs Committee and adopted by the Senate on May 13, 2004, be adopted.
2. That Senate Committee Amendments Nos. 6, 7, 10, 11, and 13 proposed by the Senate and Governmental Affairs Committee and adopted by the Senate on May 13, 2004, be rejected.
3. That the set of Senate Floor Amendments (#261) proposed by Senator Jones and adopted by the Senate on May 26, 2004, be rejected.
4. That Senate Floor Amendment No. 1 in the set of Senate Floor Amendments (#300) proposed by Senator Jones and adopted by the Senate on May 26, 2004, be rejected.
5. That Senate Floor Amendment No. 2 in the set of Senate Floor Amendments (#300) proposed by Senator Jones and adopted by the Senate on May 26, 2004, be adopted.
6. That the set of Senate Floor Amendments (#304) proposed by Senator Hainkel and adopted by the Senate on May 26, 2004, be rejected.
7. That Senate Floor Amendments Nos. 1 through 10 in the set of Senate Floor Amendments (#293) proposed by Senator Hainkel and adopted by the Senate on May 26, 2004, be adopted.

8. That Senate Floor Amendments Nos. 11 through 14 in the set of Senate Floor Amendments (#293) proposed by Senator Hainkel and adopted by the Senate on May 26, 2004, be rejected.

9. That the set of Senate Floor Amendments (#301) proposed by Senator Dardenne on May 26, 2004, be adopted.

10. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 2, line 20, change "(Q)(1), (2), and (3)" to "(Q)(1) and (2)"

AMENDMENT NO. 2

On page 2, line 26, after "legislature," insert the following:

"However, if a legislator accepts a contribution, loan, or transfer of funds or in-kind contribution during a regular legislative session for a state or local office to which the prohibition in this Subsection does not apply and the legislator chooses not to seek said office or fails to qualify for said office, such legislator shall return, in the manner prescribed by the supervisory committee, each such contribution, loan, transfer of funds, or in-kind contribution which remains unexpended or unencumbered for expenses directly related to the campaign for said office."

AMENDMENT NO. 3

On page 3, line 19, change "(R)(1), (2), and (3)" to "(R)(1) and (2)"

AMENDMENT NO. 4

On page 3, line 24, after "governor," insert the following:

"However, if the governor accepts a contribution, loan, or transfer of funds or in-kind contribution during a regular legislative session or within thirty days after such a regular legislative session adjourns for a state or local office to which the prohibition in this Subsection does not apply and the governor chooses not to seek said office or fails to qualify for said office, the governor shall return, in the manner prescribed by the supervisory committee, each such contribution, loan, transfer of funds, or in-kind contribution which remains unexpended or unencumbered for expenses directly related to such campaign for said office."

Respectfully submitted,

Representatives
Charles D. Lancaster, Jr.
Joe R. Salter
Sharon Weston Broome

Senators
Donald E. Hines
Charles D. Jones
Lee "Jody" Amedee

Rules Suspended

Senator Jones asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator Jones, a vote was taken on the adoption of the report.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President

Dupre

Kostelka

Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—38		

NAYS

Total—0

ABSENT

Lentini
Total—1

The Chair declared the Conference Committee Report was adopted. Senator Jones moved to reconsider the vote by which the report was adopted and laid the motion on the table.

Rules Suspended

Senator Hainkel asked for and obtained a suspension of the rules for the purpose of taking up at this time.

House Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

The following House Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Hainkel asked that House Bill No. 517 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 517—

BY REPRESENTATIVE JOHNS

AN ACT

To enact Subpart B-1 of Part XXX of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1441 through 1441.26, relative to the residual property insurance market; to provide for Louisiana Citizens Property Insurance Corporation; to provide for legislative intent and purpose; to provide for interpretation of laws; to provide for servicing of policies; to provide for the Coastal Plan; to provide for the FAIR Plan; to provide for the governance and administration; and to otherwise provide with respect thereto.

The bill was read by title. Senator Hainkel moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boasso	Hainkel	Nevers
Boissiere	Heitmeier	Romero
Cain	Holden	Schedler
Chaisson	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Dupre	Kostelka	
Total—37		

NAYS

Total—0

ABSENT

Cheek
Total—2

Lentini

The Chair declared the bill was passed. The title was read and adopted. Senator Hainkel moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Fontenot asked that House Bill No. 1125 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1125—

BY REPRESENTATIVE DAMICO

AN ACT

To enact R.S. 40:4.12, relative to sanitation; to provide for alternative methods of identification of potable and nonpotable water distribution equipment, piping, and outlets; to provide for a qualifying potable water distribution plan; and to provide for related matters.

Floor Amendments Sent Up

Senator Fontenot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fontenot to Reengrossed House Bill No. 1125 by Representative Damico

AMENDMENT NO. 1

Delete Senate Conforming Amendment Nos. 7, 9, 11, 12, 13, and 16 proposed by Senator McPherson and adopted by the Senate on May 11, 2004

AMENDMENT NO. 2

On page 2, between lines 17 and 18, insert the following:

“(iii) Requires a formal cross connection control survey of the facility to be performed by a qualified individual at least once every five years beginning no later than July 1, 2006.”

AMENDMENT NO. 3

On page 2, line 19, between “communicated” and “to all” insert “, in writing or transmitted electronically.”

AMENDMENT NO. 4

On page 2, line 27, after “present, of any” delete “provisions of the Sanitary Code or any other”

On motion of Senator Fontenot, the amendments were adopted.

The bill was read by title. Senator Fontenot moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—38		

NAYS

Total—0

ABSENT

Lentini
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Fontenot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Senator Barham in the Chair

Called from the Calendar

Senator N. Gautreaux asked that House Bill No. 640 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 640—

BY REPRESENTATIVES M. GUILLORY, MARTINY, RICHMOND, BADON AND BROOME

AN ACT

To enact R.S. 14:106.3, relative to offenses affecting the general peace and order; to create the crime of unlawful exhibition of sexually explicit material in a motor vehicle; to provide for penalties; to provide for definitions; and to provide for related matters.

The bill was read by title. Senator N. Gautreaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Total—36		

NAYS

Total—0

ABSENT

Duplessis	Jones	Lentini
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator N. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator McPherson asked that House Bill No. 1228 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1228—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 40:1232.6(introductory paragraph) and 1300.51(3) and (5) and R.S. 44:9(F) and (G) and to enact R.S. 40:1300.51(2)(h), relative to emergency medical personnel; to provide grounds for disciplinary proceedings; to modify definitions; to provide for records of violations of municipal ordinances and of state statutes classified as a misdemeanor or felony; and to provide for related matters.

The bill was read by title. Senator McPherson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux, B	Mount
Boasso	Gautreaux, N	Nevers
Boissiere	Hainkel	Romero
Cain	Heitmeier	Schedler
Chaisson	Holden	Smith
Cheek	Hollis	Theunissen
Cravins	Irons	Ullo
Dardenne	Jackson	
Duplessis	Kostelka	
Total—37		

NAYS

Total—0

ABSENT

Jones	Lentini
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Bajoie asked that House Bill No. 389 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 389 (Duplicate of Senate Bill No. 358)—
BY REPRESENTATIVE MURRAY AND SENATOR BAJOIE AND
COAUTHORED BY MARCHAND

AN ACT

To amend and reenact R.S. 19:136, 136.1(1), (3), and (4)(d), 136.2(B), 136.3(2) and (3)(a), 136.6 through 136.8, 136.9(B), and 136.11, to enact R.S. 19:136.12, and to repeal R.S. 19:136.1(4)(e) and 136.10, relative to the expropriation of blighted or abandoned property by the city of New Orleans; to provide for the applicability to redemptive periods; to provide relative to the definition of "abandoned property"; to provide for notice to the owner; to provide for substantial rehabilitation and the payment of taxes and liens; to provide for the contents and notice of the petition for expropriation; to provide relative to the answer and opposition to the petition and for the waiver of defenses; to provide for the cancellation of inscriptions; to provide for the sale or transfer of expropriated property to third persons; and to provide for related matters.

Floor Amendments Sent Up

Senator Bajoie sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bajoie to Reengrossed House Bill No. 389 by Representative Murray

AMENDMENT NO. 1

Delete Senate Floor Amendments Nos. 1, 2, and 3 proposed by Senator Bajoie and adopted by the Senate on May 4, 2004.

On motion of Senator Bajoie, the amendments were adopted.

Floor Amendments Sent Up

Senator Bajoie sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bajoie to Reengrossed House Bill No. 389 by Representative Murray

AMENDMENT NO. 1

On page 1, line 3, between "R.S. 19:136.12" and the comma "," insert "and 136.13"

AMENDMENT NO. 2

On page 1, line 11, between "persons;" and "and" insert "to provide for notice of private or public sale of such properties;"

AMENDMENT NO. 3

On page 1, at the beginning of line 19, change "is" to "and 136.13 are"

AMENDMENT NO. 4

On page 4, line 27, change "verified response to the petition" to "motion to dismiss the taking"

AMENDMENT NO. 5

On page 4, line 28, delete "setting forth the facts forming the basis for such opposition"

AMENDMENT NO. 6

On page 5, at the end of line 2, delete "pleadings"

AMENDMENT NO. 7

On page 5, line 3, change "setting forth the defendant's opposition" to "motion to dismiss the taking"

AMENDMENT NO. 8

On page 5, line 4, change "The opposition" to "This motion"

AMENDMENT NO. 9

On page 7, at the beginning of line 6, after "or private" change "sales" to "sale"

AMENDMENT NO. 10

On page 7, between lines 10 and 11, insert the following:

"§136.13. Notice of sale; private and public

A. If property is sold at private sale, the municipality shall on a quarterly basis publish a short description of how the municipality is making properties, acquired pursuant to this Part, available for purchase by the public. The municipality shall also publish on a quarterly basis a list of properties acquired pursuant to this Part that have been sold by the municipality in the preceding quarter, which list shall include the name of the purchaser, the municipal address of

the property sold or, if no municipal address is available, the district, lot, and square number, and the price at which the property was sold.

B. If property is sold at public sale, notice of the sale shall be published at least twice in the manner provided by law for sales under judicial process. The advertisement of the notice of the public sale shall contain the date of the sale, the place and time of the sale, the municipal address of the property subject to such sale or, if no municipal address is available, the district, lot, and square number, and the terms of the sale."

On motion of Senator Bajoie, the amendments were adopted.

Floor Amendments Sent Up

Senator Bajoie sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bajoie to Reengrossed House Bill No. 389 by Representative Murray

AMENDMENT NO. 1

On page 4, line 27, change "verified response to the petition" to "motion to dismiss the taking"

AMENDMENT NO. 2

On page 4, line 28, delete "setting forth the facts forming the basis for such opposition"

AMENDMENT NO. 3

On page 5, at the end of line 2, delete "pleadings"

AMENDMENT NO. 4

On page 5, line 3, change "setting forth the defendant's opposition" to "motion to dismiss the taking"

AMENDMENT NO. 5

On page 5, line 4, change "The opposition" to "This motion"

AMENDMENT NO. 6

On page 7, at the beginning of line 6, after "or private" change "sales" to "sale"

On motion of Senator Bajoie, the amendments were adopted.

The bill was read by title. Senator Bajoie moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson

Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—38		

NAYS

Total—0

ABSENT

Lentini
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Bajoie moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Fields asked that House Bill No. 19 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 19—

BY REPRESENTATIVE SHEPHERD
AN ACT

To amend and reenact Code of Criminal Procedure Article 814(A)(3), relative to criminal verdicts; to add the crime of negligent homicide as a responsive verdict to the crime of second degree murder; and to provide for related matters.

The bill was read by title. Senator Fields moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Kostelka
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Dupre	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Boissiere Duplessis Lentini
Total—3

The Chair declared the bill was passed. The title was read and adopted. Senator Fields moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Dardenne asked that House Bill No. 404 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 404— BY REPRESENTATIVE BOWLER AN ACT

To amend and reenact R.S. 9:315.8(E)(3)(a), relative to child support; to provide relative to joint custody; to provide for consideration of the continuing expenses of the domiciliary party; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Jones
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Total—36		

NAYS

Total—0

ABSENT

Duplessis Kostelka Lentini
Total—3

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Ellington asked that House Bill No. 635 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 635— BY REPRESENTATIVE QUEZAIRE AN ACT

To amend and reenact R.S.48:461.4(b)(3) and (4) and 461.26(B), relative to outdoor advertising; to provide relative to outdoor advertising along designated state parkways; to provide measurement requirements for placement of off-premise outdoor advertising signs along designated state parkways; to provide that certain signs shall not be placed in a stacked configuration; to provide relative to the maximum height of certain outdoor advertising signs; and to provide for related matters.

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Engrossed House Bill No. 635 by Representative Quezaire

AMENDMENT NO. 1

On page 1, line 2, change "(3) and (4) and" to "(4)," and after "461.26(B)," insert "and 274.1(A),"

AMENDMENT NO. 2

On page 1, line 5, after "parkways;" delete the remainder of the line and delete line 6, and insert "to provide relative to the"

AMENDMENT NO. 3

On page 1, line 7, after "signs;" insert "to provide relative to logo signs on interstate highways and other certain highways; to authorize the department to contract with a qualified third party or parties for the placement and maintenance of logo signs; to provide relative to the contract and accounting of revenues between the parties; to provide for the establishment of an advisory committee; to provide relative to fees for certain logo signs; to authorize the promulgation of rules and regulations;"

AMENDMENT NO. 4

On page 1, line 10, change "(3) and (4) and" to "(4)," and before "are" insert ", and 274.1(A)"

AMENDMENT NO. 5

On page 2, delete lines 7 through 14 in their entirety

AMENDMENT NO. 6

On page 2, line 15, after "roof sign" insert "and as otherwise provided in this Paragraph"

AMENDMENT NO. 7

On page 2, line 16, change "one hundred" to "sixty"

AMENDMENT NO. 8

On page 2, line 18, after "elevation." insert "However, the highest point of a sign may extend to a height of no more than one hundred feet only if the sign is placed and erected within three hundred feet of a sound barrier wall."

AMENDMENT NO. 9

On page 3, between lines 10 and 11, insert as follows:

"§274.1. Placing of specific information logo signs on interstate highways; contracts with third parties

A.(1) The department ~~shall~~ may regulate the content, composition, placement, erection, and maintenance of specific information logo signs and supports within interstate and other fully controlled access highway rights-of-way, or the department may contract with a qualified third party or parties for the placement, erection, and maintenance of specific information logo signs and supports within interstate and other fully controlled access highway rights-of-way. The department may expend any available federal funds for erecting and maintaining specific information logo signs and supports.

~~(2)(a) The Department of Transportation and Development shall establish appropriate and reasonable fees and promulgate rules and regulations in accordance with the Administrative Procedure Act to implement the provisions of this Section.~~

~~(b) The fees established by the department shall not exceed the following:~~

~~(i) Per direction, per mainline - four hundred dollars.~~

~~(ii) Per direction, per ramp - one hundred dollars.~~

~~(iii) Per trailblazer - fifty dollars.~~

(2)(a) If the department contracts with a qualified third party or parties for the placement, erection, and maintenance of specific information logo signs and supports within interstate and other fully controlled access highway rights-of-way, selection of the qualified third party or parties shall be made pursuant to the provisions of R.S. 39:1554(B). The department and the qualified third party or parties shall negotiate the terms and conditions of their contract; however, the qualified third party or parties shall be required to deposit all revenues received pursuant to the contract into a separate account and provide the department with a full accounting of such revenues every three months. The qualified third party or parties shall pay to the department one hundred fifty thousand dollars per year or ten percent of the gross revenue of the logo signing program, whichever is greater, for use of rights-of-way. The term of the initial contract shall not exceed five years; however, the department may extend the initial term of the contract for not more than four additional five-year periods.

(b) If the department contracts with a qualified third party or parties according to the provisions of this Paragraph, an advisory committee shall be formed to monitor and make recommendations to the qualified third party or parties regarding the placement, erection, and maintenance of specific information logo signs and supports within interstate and other fully controlled access highway rights-of-way. The advisory committee shall be composed of the chief executive officers, or their designees, of the following: Louisiana Restaurant Association, Louisiana Hotel and Lodging Association, Louisiana Travel Promotion Association, and the Louisiana Oil Marketers and Convenience Store Association.

(3) The department shall establish appropriate and reasonable fees; however, the fees shall not exceed the following:

(a) Four hundred seventy-five dollars, per direction, per mainline. However, beginning in Fiscal Year 2005, the fee per mainline sign shall not exceed two hundred seventy-five dollars, beginning in Fiscal Year 2006, the fee per mainline sign shall not exceed three hundred seventy-five dollars, beginning in Fiscal Year 2007, the fee per mainline sign shall not exceed four hundred twenty-five dollars, and beginning in Fiscal Year 2008, the fee per mainline sign shall not exceed four hundred seventy-five dollars.

(b) One hundred dollars, per direction, per ramp.

(c) Fifty dollars, per trailblazer.

(4) The department shall promulgate rules and regulations in accordance with the Administrative Procedure Act as are necessary for the implementation of this Section, including but not limited to rules and regulations relative to contracting with a qualified third party or parties.

(5) The ownership of the logo signs and supports erected and maintained by a qualified third party or parties shall be the property of the state of Louisiana.

* * *

On motion of Senator Ellington, the amendments were adopted.

The bill was read by title. Senator Ellington moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—38		

NAYS

Total—0

ABSENT

Lentini
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Ellington asked that House Bill No. 247 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 247—

BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 14:67.2(A) and (C)(introductory paragraph) and to enact R.S. 14:67.2(B)(4), relative to theft; to provide with respect to theft of animals; to authorize courts to order restitution in certain circumstances; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—38		

NAYS

Total—0

ABSENT

Lentini
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Boissiere asked that House Bill No. 178 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 178—

BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 18:423(C), relative to the composition of parish boards of election supervisors; to remove provisions relative to the membership of the parish board of election supervisors in a particular parish; to provide for similar membership in all parish boards of election supervisors; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux

Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux, B	Mount
Boasso	Gautreaux, N	Nevers
Boissiere	Hainkel	Romero
Cain	Heitmeier	Schedler
Chaisson	Holden	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—37		

NAYS

Total—0

ABSENT

Hollis
Total—2
Lentini

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Irons asked that House Bill No. 1126 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1126—

BY REPRESENTATIVES MURRAY, BROOME, HAMMETT,
LANCASTER, AND SALTER
AN ACT

To amend and reenact R.S. 18:1501.1, relative to forty-eight hour requirements for reporting independent expenditures prior to an election; to require certain persons who make independent expenditures or accept contributions other than to or from a candidate or a political committee to report such contributions or expenditures to the supervisory committee; to provide for the time and manner of such reports; to provide for the amounts of the contributions or expenditures which require such reporting; and to provide for related matters.

Floor Amendments Sent Up

Senator Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Jones and Hainkel to Engrossed House Bill No. 1126 by Representative Murray

AMENDMENT NO. 1

On page 2, line 22, change "forty-eight" to "one hundred twenty"

On motion of Senator Jones, the amendments were adopted.

Floor Amendments Sent Up

Senator Irons sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Irons to Engrossed House Bill No. 1126 by Representative Murray

AMENDMENT NO. 1

On page 1, line 2 between "R.S. 18:" and "1501.1," insert "1483(13) and"

AMENDMENT NO. 2

On page 1, line 2 after "relative to" insert "the Louisiana Election Code; to provide for"

AMENDMENT NO. 3

On page 1, line 10 between "R.S. 18:" and "1501.1," insert "1483(13)" and change "R.S.18:1501.1 is" to "R.S. 18:1483(13) and 1501,"

AMENDMENT NO. 4

On page 1, between lines 10 and 11 insert the following:
"§1483. Definitions

As used in this Chapter, the following terms shall have the meanings herein given to each unless the context clearly indicates otherwise:

* * *

(13) "Person" means any individual, partnership, limited liability company, corporation, association, labor union, political committee, corporation, or other legal entity, including their subsidiaries.

* * *

On motion of Senator Irons, the amendments were adopted.

The bill was read by title. Senator Irons moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—38		

NAYS

Total—0

ABSENT

Lentini

Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Irons moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Adley asked that House Bill No. 102 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 102—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To enact R.S. 33:1448.1, relative to the payment of group insurance premiums for retired sheriffs and deputy sheriffs in Bossier Parish; to create a permanent fund; to require the depositing of certain monies into the fund; to provide for investment of monies in the fund; to authorize the withdrawal of earnings; to provide for limitations on appropriations from the fund; to provide for audits of the fund; and to provide for related matters.

Floor Amendments Sent Up

Senator Adley sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Engrossed House Bill No. 102 by Representative Montgomery

AMENDMENT NO. 1

On page 2, line 10, change "The" to "Upon recommendation of the board established in Subsection G, the"

AMENDMENT NO. 2

On page 3, between lines 4 and 5, insert the following:

"G.(1) To provide recommendations concerning the investment of funds as provided in Subsection C, the sheriff shall establish an investment advisory board consisting of five members as follows:

(a) The comptroller of the sheriff's department.

(b) Three retired sheriffs or deputies of the department appointed by the sheriff.

(c) One active deputy of the department appointed by the sheriff.

(2) Members appointed pursuant to Subparagraphs (b) and (c) shall serve terms concurrent with the appointing sheriff.

(3) Any vacancy on the board shall be filled in the same manner and for the same term as provided in this Subsection."

On motion of Senator Adley, the amendments were adopted.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Engrossed House Bill No. 102 by Representative Montgomery

AMENDMENT NO. 1

On page 1, line 3, after "Parish" insert "and another specified parish"

AMENDMENT NO. 2

On page 1, line 6, after "audits of the fund;" insert "to provide conditions under which certain sheriffs from specified parishes pay certain premium costs of specified group insurance for certain retired officials and employees; to provide for an effective date;"

AMENDMENT NO. 3

On page 3, between lines 4 and 5, insert the following:

"Section 2. The provisions of R.S. 33:1448(G), with regard to the sheriff of a parish with a population of between one hundred thousand and one hundred two thousand according to the latest federal decennial census shall apply only to sheriffs and deputy sheriffs who met the requirements of Act 973 of the 2003 Regular Session of the Legislature on or before August 15, 2003, and who request such coverage on or before July 1, 2005."

AMENDMENT NO. 4

On page 3, line 5, change "Section 2." to "Section 3."

On motion of Senator Hainkel, the amendments were adopted.

The bill was read by title. Senator Adley moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—38		

NAYS

Total—0

ABSENT

Lentini
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Adley moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Fontenot asked that House Bill No. 571 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 571—

BY REPRESENTATIVE T. POWELL

AN ACT

To amend and reenact R.S. 3:472, 473, 474, 476, and 478(A), relative to the Louisiana Strawberry Marketing Board; to provide relative to definitions; to provide relative to membership and powers of the board; to provide for the powers of the commissioner of agriculture and forestry; to provide relative to assessments; to provide relative to penalties; and to provide for related matters.

The bill was read by title. Senator Fontenot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—38		

NAYS

Total—0

ABSENT

Lentini
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Fontenot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Fields asked that House Bill No. 1660 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1660—

BY REPRESENTATIVES BROOME, JACKSON, AND DANIEL

AN ACT

To amend and reenact the heading of Part II of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950 and R.S. 33:9038.1(3), relative to cooperative economic development and

tax increment financing; to change population restrictions in the definition of a local governmental subdivision to which certain provisions are applicable; and to provide for related matters.

Senator Ellington in the Chair

Floor Amendments Sent Up

Senator Fields sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fields to Reengrossed House Bill No. 1660 by Representative Broome

AMENDMENT NO. 1

Delete Senate Floor Amendment Nos. 1 through 3 proposed by Senator Malone and adopted by the Senate on June 10, 2004.

Senator Fields moved adoption of the amendments.

Senator Malone objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Hollis
Adley	Dupre	Jones
Amedee	Ellington	Kostelka
Bajoie	Fields	Marionneaux
Boissiere	Fontenot	Michot
Cain	Gautreaux, B	Mount
Chaisson	Gautreaux, N	Nevers
Cravins	Holden	Romero
Total—24		

NAYS

Barham	Heitmeier	Schedler
Boasso	Irons	Smith
Cheek	Jackson	Theunissen
Dardenne	Malone	Ullo
Hainkel	McPherson	
Total—14		

ABSENT

Lentini
Total—1

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 1660 by Representative Broome

AMENDMENT NO. 1

In Senate Committee Amendment No. 4 proposed by the Senate Committee on Local and Municipal Affairs and adopted by the Senate on June 1, 2004, on page 1, at the end of line 21, insert the following:

“However, the provisions of this Part shall not apply to any parish having a population between 120,000 and 130,000, according to the latest decennial census.”

On motion of Senator McPherson, the amendments were adopted.

Mr. President in the Chair

Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Reengrossed House Bill No. 1660 by Representative Broome

AMENDMENT NO. 1

On page 1, line 3, after "33:9038.1(3)" insert "and to enact R.S. 33:9038.26"

AMENDMENT NO. 2

On page 1, line 6, after "applicable;" insert the following:

"to create the city of Opelousas Special District; to provide for the purpose and governance of the district; to provide for its rights and powers, including the authority for tax increment financing by the district; to provide for an effective date;"

AMENDMENT NO. 3

On page 1, line 9, after "reenacted" insert " and R.S. 33:9038.26 is hereby enacted"

AMENDMENT NO. 4

On page 2, after line 4, insert the following:

"§9038.26. City of Opelousas Special District

A. Creation. The governing authority of the city of Opelousas may create a special district and political subdivision of the state, hereinafter referred to as the "district."

B. Boundaries. The boundaries of the district shall be the same as the area known as the city of Opelousas.

C. Purpose. The district shall have as its purpose to create housing, renovate and restore the historic district, and all new developments in the district, as well as the development and implementation of a strategic plan.

D.(1) Governance. In order to provide for the orderly development of the district and to effectuate the purposes of the district, the district shall be administered and governed by a board of commissioners and shall consist of the following:

(a) The mayor of the city of Opelousas or her designee who shall serve for a period of four years.

(b) Three members appointed by the mayor from the three council districts which encompasses the district who shall serve for a period of four years.

(c) The executive director of the city of Opelousas Community Development and Tourism group.

(2) The appointing authority shall have the authority to replace or fill any vacancy of an unexpired term of the member that they appointed for cause stated in writing.

(3) All members on the board shall serve without compensation.

(4) The board shall keep minutes of all meetings and shall make them available for inspection through the board's secretary. The minute books and archives of the special district shall be maintained by the board's secretary. The monies, funds, and accounts of the district shall be in the official custody of the board.

(5) The board shall adopt bylaws and prescribe rules to govern its meetings. The members of the board shall serve without salary or per diem and shall be entitled to reimbursement for reasonable, actual and necessary expenses incurred in the performance of their duties.

(6) The domicile of the board shall be established by the board at a location within the special district.

(7) The board shall elect from its own members a president, secretary, and treasurer, whose duties shall be common to such offices or may be provided by bylaws. The office of secretary and treasurer may be held by one person. The board shall hold regular meetings and may hold special meetings as provided in the bylaws. All such meetings shall be public meetings subject to the provisions of R.S. 42:4.1 et seq., relative to open meetings.

(8) Members appointed as provided for in Paragraph (1) of this Subsection, as near as practicable, shall include those with the following backgrounds and expertise:

(a) Real estate broker or real estate developer.

(b) Banker.

(c) Economic consultant.

(d) Architect or engineer.

(e) Planner or urban developer.

(f) Citizen who is a successful business owner.

E. Rights and powers. The district, acting by and through its board of commissioners, shall have and exercise all powers of a political subdivision and special taxing district necessary or convenient for the carrying out of its objects and purposes including but not limited to the following:

(1) To sue and to be sued.

(2) To adopt bylaws and rules and regulations.

(3) To receive by gift, grant, donation or otherwise any sum of money, property, aid or assistance from the United States, the state of Louisiana, or any political subdivision thereof, or any person, firm, or corporation.

(4) For the public purposes of the district to enter into contracts, agreements or cooperative endeavors with the state and its political subdivisions or political corporations and with any public or private association, corporation, business entity, or individual.

(5) Appoint officers, agents, and employees, prescribe their duties, and fix their compensation. The board may appoint or hire an executive director as it deems necessary for the purpose of carrying out its day-to-day work operations for convenience and effectiveness in the administration of plans. The board may contract with consultants for project management and with developers or planners for such services as it may require. The board may delegate certain authority to its employees, consultants and executive director to act on its behalf which delegation of authority shall be specific and in writing.

(6) To acquire by gift, grant, purchase, lease, or otherwise such property as may be necessary or desirable for carrying out the

objectives and purposes of the district and to mortgage and sell such property.

(7) In its own name and on its own behalf to incur debt and to issue bonds, notes, certificates and other evidences of indebtedness. For this purpose the district shall be deemed and considered to be an issuer for purposes of R.S. 33:9037 and shall, to the extent not in conflict with this Section, be subject to the provisions of R.S. 33:9037. The tax to repay the bonded indebtedness shall be levied through an ordinance adopted by the district's board, only after a special election is held for the purpose of approving the tax by a majority of the electors voting.

(8) Establish such funds or accounts as are necessary for the conduct of the affairs of the district.

(9) The board shall prepare an annual budget of its operating expenses, the total amount of which, exclusive of gifts, shall be within the total amounts appropriated for the purpose by the board.

(10) The board of commissioners shall have an annual audit of its operating expenses available for public review.

F. Term. The district shall dissolve and cease to exist one year after the earlier of the date all bonds, notes, and other evidences of indebtedness of the district, including refunding bonds are paid in full as to both principal and interest; however, under no event shall the district have an existence of less than three years.

G. After the designation of the boundaries of the sales tax area, the district shall designate the local sales taxes which are to be used in determining the sales tax increments and the initial annual baseline collection rate for the sales tax area, which shall be the amount of such designated sales taxes collected in the sales tax area in the fiscal year of the district most recently completed prior to the establishment of the sales tax area. In addition, a monthly baseline collection rate shall be determined by dividing the initial annual baseline collection rate by twelve. The initial annual baseline collection rate and the monthly baseline collection rate shall be certified by the chief financial officer or equivalent of the district. The certification shall also be published one time in the official journal of the city of Opelousas. If the amounts of the initial annual baseline collection rate and the monthly baseline collection rate are not contested within thirty days after the said publication, then such amounts shall be conclusively presumed to be valid, and no court shall have any jurisdiction to alter or invalidate the designation of the amount of either the initial annual baseline collection rate or the monthly baseline collection rate.

H. The provisions of this Section shall not affect any school system or law enforcement agency for any purpose.

I. Liberal construction. This Section, being necessary for the welfare of the city and its residents, shall be liberally construed to effect the purposes thereof."

On motion of Senator Cravins, the amendments were adopted.

The bill was read by title. Senator Fields moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley

Dupre
Ellington

Jones
Marionneaux

Amedee	Fields	McPherson
Boissiere	Fontenot	Michot
Cain	Gautreaux, N	Mount
Chaisson	Heitmeier	Romero
Cravins	Holden	Schedler
Dardenne	Hollis	Theunissen
Total—24		

NAYS

Barham	Gautreaux, B	Kostelka
Boasso	Hainkel	Malone
Cheek	Irons	Smith
Duplessis	Jackson	Ullo
Total—12		

ABSENT

Bajoie	Lentini	Nevers
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Fields moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Holden asked that House Bill No. 833 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 833—

BY REPRESENTATIVE HUNTER
AN ACT

To repeal R.S. 23:1601(10)(b), relative to unemployment compensation; to remove the provision which requires a fifty percent discount in unemployment benefits after an individual requalifies for benefits subsequent to a disqualification for the use of illegal drugs.

Floor Amendments Sent Up

Senator Holden sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Holden to Engrossed House Bill No. 833 by Representative Hunter

AMENDMENT NO. 1

Delete Senate Floor Amendment Nos. 1 through 6, proposed by Senator Holden and adopted by the Senate on June 7, 2004

AMENDMENT NO. 2

On page 1, after "To" delete the remainder of the line and delete lines 3 through 5 and insert the following: "amend and reenact R.S. 23:1652, relative to unemployment compensation; to provide relative to the per diem paid to the members of the Board of Review for Employment Security; and to provide for related matters."

AMENDMENT NO. 3

On page 1, line 7, after "Section 1. R.S. 23:" delete the remainder of the line and insert "1652 is hereby amended and reenacted to read as follows:"

AMENDMENT NO. 4

On page 1, between lines 7 and 8 insert the following:
"§1652. Board of review; appointment and qualification of members; per diem compensation

The board of review shall consist of five members appointed by the governor, with the consent of the Senate. The governor shall, immediately after the effective date of this Section, appoint the initial five members for overlapping terms of two, three, four, five and six years each. Their successors shall be appointed for six years each. The board shall elect a chairman; the election is to be held within thirty days after July one of each odd-number year. The board of review shall be composed of a representative from the public generally, two representatives from labor, and two representatives from management, each of whom shall be regarded as fairly representative because of his vocation, employment, or affiliation. Three members shall constitute a quorum. Each member shall be paid from the Employment Security Administration Fund ~~sixty~~ **ninety** dollars per day of active service plus necessary travel expenses subject to the approval of the secretary, in conformity with agency travel regulations. The governor may at any time, after notice and hearing, and by and with the consent of the Senate, remove any member for cause. Vacancies shall be immediately filled for the unexpired terms by appointment by the governor, by and with the consent of the Senate."

On motion of Senator Holden, the amendments were adopted.

The bill was read by title. Senator Holden moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Marionneaux
Adley	Fields	McPherson
Barham	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Malone	
Total—31		

NAYS

Boasso	Fontenot
Total—2	

ABSENT

Amedee	Hainkel	Lentini
Bajoie	Irons	Nevers
Total—6		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Holden moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator B. Gautreaux asked that House Bill No. 201 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 201—

BY REPRESENTATIVES DARTEZ AND ST. GERMAIN
AN ACT

To amend and reenact R.S. 56:305(B)(4)(f) and 322.2(G), relative to use of shad gill nets; to authorize such use in certain waterbodies; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed House Bill No. 201 by Representative Dartez

AMENDMENT NO. 1

On page 1, line 2, after “(f)” insert “, 320(A)(1),”

AMENDMENT NO. 2

On page 1, line 2, after “relative to” insert “wildlife and fisheries; to provide for the”

AMENDMENT NO. 3

On page 1, at the beginning of line 3, insert “to provide for geographical areas for methods of taking freshwater or saltwater fish;”

AMENDMENT NO. 4

On page 1, line 5, after “(f)” insert “, 320(A)(1),”

AMENDMENT NO. 5

On page 1, between lines 17 and 18, insert the following:

“§320. Methods of taking freshwater or saltwater fish

A.(1) Freshwater and saltwater game fish may be taken by means of rod, fishing pole, hook and line, trolling line, handline, bait casting, fly casting apparatus, crawfish nets, by use of devices known as yo-yos or trigger devices, bow and arrow, recreational hoop nets, recreational wire nets, recreational slat traps, standard spearing equipment used by a skin diver sport fishing in saltwater or freshwater when submerged in the water, recreational pipes, recreational buckets, recreational drums, recreational tires, and recreational cans, and by no other means except a barbless spear used in saltwater for taking flounder. Recreational wire nets and recreational hoop nets authorized for use under the provisions of this Section shall be used only in the geographical areas located north of Interstate 12 from where it crosses the Louisiana/Mississippi state line westward to the city of Baton Rouge, in the geographical areas located north of ~~US Highway 190~~ **Interstate Highway 10** from the city of Baton Rouge westward to the town of Ragley, and in the geographical areas located north of Louisiana Highway 12 from the

town of Ragley westward to where it crosses the Louisiana/Texas state line.

* * *

On motion of Senator Marionneaux, the amendments were adopted.

The bill was read by title. Senator B. Gautreaux moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Jones
Adley	Ellington	Kostelka
Amedee	Fields	Malone
Barham	Fontenot	Marionneaux
Boasso	Gautreaux, B	McPherson
Boissiere	Gautreaux, N	Michot
Cain	Hainkel	Mount
Chaisson	Heitmeier	Romero
Cheek	Holden	Schedler
Cravins	Hollis	Smith
Dardenne	Irons	Theunissen
Duplessis	Jackson	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Lentini	Nevers
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator B. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Ellington asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

HOUSE CONFEREES APPOINTED

June 17, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members,

on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 633 by Senator Kostelka:

Representatives Dartez, Martiny and Triche.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 17, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1516 by Representative Baldone:

Representatives Baldone, Pierre and Wooton.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 17, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 14 by Senator Dupre:

Representatives Martiny, Baldone and Cazayoux.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 17, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like

committee from the Senate, on the disagreement to Senate Bill No. 495 by Senator Schedler:

Representatives Durand, Crowe and Flavin.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Appointment of Conference Committee on House Bill No. 382

The President of the Senate appointed on the Conference Committee on House Bill No. 382 the following members of the Senate: Senators Mount, Theunissen and Marionneaux.

Appointment of Conference Committee on Senate Bill No. 695

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 695: Senators Malone, Michot and Marionneaux.

Appointment of Conference Committee on Senate Bill No. 633

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 633: Senators Kostelka, Chaisson and Hainkel.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

June 17, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 163— BY SENATOR N. GAUTREUX A CONCURRENT RESOLUTION

To urge and request the Board of Regents to study the feasibility of creating two separate systems out of the Louisiana Community and Technical College System.

Reported without amendments.

June 17, 2004

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

June 17, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 869 (Substitute for Senate Bill No. 736 by Senator Jones)—

BY SENATOR JONES

AN ACT

To amend and reenact R.S. 3:264(C), 401(A), 453(A), 551.3(B), 551.32(A), 551.63(B)(introductory paragraph), 551.73(B), 551.82(A)(1), 556.3(C), 558.3(C), 732(B)(3), 1604(D), 1892(A)(1), 2091(F), 2364(B)(3), 3211(C), 3403(B), 3801(C), and 4603(C), R.S. 4:61(A) and 144(A), R.S. 8:675(F), R.S. 9:2341(F), R.S. 15:323(E), 572.1(A), 574.2(A)(1), 1155(D) and 1202(C), R.S. 17:1964(A)(12), 1979(A), 2503(D), and 3053(D), R.S. 22:9(A)(3), 1192(A)(introductory paragraph), 1395.6(C), 1401(A), 1417(B) and 1922(A)(2), R.S. 23:76(C)(1), 103(A)(1), 1398(B), 1652 and 2043(B), R.S. 24:802(B)(introductory paragraph), R.S. 25:2(A), 315(A), 341(D)(7), 373(C), 379.1(D), 380.22(D), 651, 822(A)(introductory paragraph), 891(A)(2)(f), 902(A), 1001(A), and 1232(B)(1)(a), R.S. 27:11(A), R.S. 28:753(A), R.S. 30:83(C), 121(A), 2062(D), and 2503(B), R.S. 33:2006(A) and 2342(F), R.S. 34:962(A), R.S. 37:74(C)(1), 571(B), 683(A)(1), 914(B)(1), 962(A), 1042(A), 1104(A) and (B)(2)(a), 1314(B), 1339(A), 1361(C), 1379, 1432(A), 1474(C), 1515(A)(2), 2102, 2151(A)(introductory paragraph), 2165(A), 2303(A)(2), 2353(A), 2401.1(C), 2551(B), 2654(C)(1), 2704(B), 2802(A)(1), 2835(A)(2)(b), 3061(A)(2)(c), 3111(B), 3173(A)(1), 3201(B)(2), 3242(C), 3273(B), 3373(B), 3394(C), 3444(B), 3463(A), 3504(B), 3554(A)(2), R.S. 38:3097.4(B), 3098.6, R.S. 39:99.5(A), R.S. 40:5.11(C), 600.4(A)(4), 1232.2(C), 1299.88(A)(2), 1299.181(B)(2), 1578.1(A), 2018(B)(3), 2403(B)(2), 2451(B), R.S. 42:882(A)(4)(c), 1132(B)(2), 1481, R.S. 46:1803(B), 2251(A)(11), 2265(B), 2404(B)(5), 2501, 2525(D), 2624(C), 2634(C), R.S. 48:108.1, 1352(A), 2074(E), R.S. 51:923(B), 1318(D), 1364(D), 2233, 2311(A)(1), and R.S. 56:1(B), 578.2(A)(1), and 700.13(B) and to enact R.S. 3:3363(I), 4106(C) and 4272(D), R.S. 8:61(C), R.S. 17:407.3(D) and 3022(A)(3), R.S. 22:1194.2(D), and 1381(A)(3), R.S. 24:933(D), R.S. 25:651(B), R.S. 28:826(C)(29), R.S. 29:253(D), R.S. 32:772(A)(4), R.S. 37:341(A)(2)(d), 1007(A)(2)(d), 1263(B)(2)(d), 1270.1(B)(5), 1285.2(A)(13), 1379(B), 2503(A)(3)(d), 3084(B)(1)(e), 3152(B)(6), 3356(B)(3), and R.S. 39:301(F), 1784(C), 1798.4(C), R.S. 40:1299.40(E)(3)(i), 1299.44(D)(1)(i), 1300.105(D), 1351(C), 1662.13(A)(3), 1841(E), 2019(H), 2191(A)(4), R.S. 41:1602(B)(3), R.S. 42:2.1, 456.2(D), R.S. 46:933(H), 1406(G), 2605(G), R.S. 47:1402(D), 1832(C),

9004(B)(4), R.S. 48:101(D), R.S. 49:214.12(D), 219.2(B)(5), 1053(J), R.S. 51:911.26(A)(4), 943(D), 1256(D), 1284(D), and R.S. 56:331(F), and 1681(A)(4), relative to the qualifications and qualities of appointees to boards, commissions, councils, authorities, and other entities with statewide jurisdiction over certain matters; to provide with regard to diversity; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 842— BY SENATOR ROMERO

AN ACT

To enact Chapter 45 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:3301 through 3313, inclusive, relative to the Acadiana Gulf of Mexico Access Channel; to provide relative to objects and purpose, powers, coordination and cooperation; to authorize certain expropriation powers of the department; to provide relative to duties of the Department of Transportation and Development; to provide relative to the Acadiana Gulf of Mexico Access Channel; to provide certain procedures, terms, and conditions; to authorize certain activities; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 855— BY SENATOR BAJOE

AN ACT

To amend and reenact R.S. 25:841, 842, and 844 and to enact R.S. 25:845 and 846 and R.S. 36:209(Z) and 919.7, relative to the Louisiana Civil Rights Museum; to establish and provide for the Louisiana Civil Rights Museum Advisory Board; to provide for the membership, powers, duties, and functions of the advisory board; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 769— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 42:455(A)(1)(b) and to enact R.S. 42:455(E), relative to payroll deduction for foreign companies; to provide for requirements for payroll deduction for foreign companies; to provide with respect to the liability of the state; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 493— BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 46:2721 and to rename Chapter 56 of Title 46 of the Louisiana Revised Statutes of 1950, relative to funds; to abolish the Medicaid School-Based Administrative Claiming Trust Fund; to provide for certain reimbursable claims to public schools; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 636—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 42:1123(19), relative to the Code of Governmental Ethics; to provide with regard to the exception to allow commission members to obtain oyster leases while serving on the Louisiana Wildlife and Fisheries Commission; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 41—

BY SENATOR MCPHERSON

AN ACT

To enact Part V-A of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:115, relative to the settlement of claims by the state; to provide for notification to the Joint Legislative Committee on the Budget of certain claims in which the state has an interest; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 749—

BY SENATOR CAIN AND REPRESENTATIVE JOHN SMITH

AN ACT

To amend and reenact R.S. 47:302.5, relative to sales tax proceeds; to provide for the distribution of certain state tax proceeds in Vernon Parish; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 560—

BY SENATOR FONTENOT

AN ACT

To amend and reenact the introductory paragraph of R.S. 30:2194(B), (4), (9), and (11) through (15) and the introductory paragraph of (C), 2195(A) and (E), the introductory paragraph of 2195.2(A)(1), (a), and (c)(i), (2), (3), (4), and (5), 2195.3(A)(1)(b) and (7), 2195.4(A)(1), (2), and (3)(c)(ii), 2195.6, 2195.7, 2195.8(A), the introductory paragraph of 2195.8(B) and (1) and (C), 2195.9(A), and 2195.10, to enact R.S. 30:2195.8(D), (E), and (F) and 2195.11, and to repeal R.S. 30:2194(B)(16), relative to underground storage tanks; to provide for uses of money in the Motor Fuels Underground Storage Tank Trust Fund, especially relative to those who are eligible for disbursements from the fund; to provide relative to penalties for failure to pay fees that are paid into the trust fund; to provide relative to financial obligations of tank owners for environmental damage resulting from releases; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 538—

BY SENATORS CAIN AND HAINKEL

AN ACT

To amend and reenact R.S. 22:228.1(B)(7), (8), (9), (10), (11), (12), and (C) and to enact R.S. 22:228.1(B)(13) and (14), relative to health insurance; to define health savings accounts and high deductible health plans; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 731—

BY SENATORS CAIN AND CRAVINS

AN ACT

To enact Chapter 9 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:3201 through 3205, relative to automobile insurance fraud prevention; to establish the Louisiana Automobile Theft and Insurance Fraud Prevention Authority in the Department of Insurance; to provide for the authority's duties, purposes, board of directors, staff, plan of operations, and funding; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 871**(Substitute for Senate Bill No. 534 by Senator Irons)—**

BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 17:17, and to enact R.S. 17:17.1 and 17.2, relative to physical fitness in schools; to provide relative to the physical activity of students; to provide for legislative findings and objectives; to establish and provide for awards for schools with outstanding programs, based on funding; to establish and provide for the implementation of a pilot program consisting of an assessment measuring the health-related fitness of students in certain grades; to provide for the selection of school systems for participation; to provide for program development; to provide for limitations; to provide for reports; to provide relative to funding; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 468—

BY SENATOR FONTENOT

AN ACT

To enact Part II of Chapter 21 of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:2551 and 2552, relative to environmental quality; to provide for the Brownfields Cleanup Revolving Loan Fund; to provide for purpose; to provide for capitalization; to provide for uses; to provide for authority to make loans, grants, and incur debt; to provide for the administration of the fund; to provide for bonds, notes, or other evidence of indebtedness; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 802—

BY SENATORS MOUNT AND THEUNISSEN AND REPRESENTATIVES FLAVIN, GEYMAN, E. GUILLORY, JOHNS AND MORRISH

AN ACT

To amend and reenact R.S. 27:96(A), relative to the Louisiana Riverboat Economic Development and Gaming Control Act; to provide with respect to prohibited acts and gaming offenses on riverboats; to provide that certain elected public officials can engage in business activities with a riverboat gaming licensee as a non-key gaming employee under certain circumstances; to provide for notification requirements; to provide for the adoption of rules; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 334—

BY SENATORS HAINKEL AND HOLLIS

AN ACT

To enact R.S. 22:230.6, relative to health insurance; to authorize health plans to offer mandate-free coverage to individuals and small groups on an optional basis; provides that health plans continue offering coverage that includes all mandates; provides

that health plans offering mandate-free coverage disclose benefits not included at the time of application; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 261—

BY SENATOR HINES

AN ACT

To enact R.S. 42:1119 (B)(2)(a)(iv), relative to the Code of Governmental Ethics; to provide with respect to nepotism; to authorize the employment of immediate family members of a school board member or a superintendent as a certified guidance counselor; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 191—

BY SENATORS IRONS AND DUPRE

AN ACT

To repeal R.S. 39:1220(A)(2), relative to local agencies; to remove certain limits on the amount of deposit to a financial institution; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 12—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 48:1002(A), relative to ferries; to provide for the period of appropriation of state funds for operation and maintenance of the Monkey Island Ferry located in Cameron Parish; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 288—

BY SENATOR SCHEDLER

AN ACT

To enact R.S. 47:322.37(B)(3), relative to the St. Tammany Parish Tourist and Convention Commission; to provide for the distribution of certain funds appropriated to the commission; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 129—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 33:9055(B), relative to the Cameron Parish Ambulance Service District No. 2; to provide with respect to the board membership; to increase the membership on the board from five members to six members; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 212—

BY SENATOR DUPRE AND REPRESENTATIVES BALDONE AND DOVE

AN ACT

To amend and reenact R.S. 33:130.251, 130.252(A)(1), (2), (3) and (D) and (E), 130.253(B) and (C), the introductory paragraph of 130.255(A) and (A)(3), (4), (6), and (9), 130.256, 130.257(A), the introductory paragraph of 130.257(B), (B)(1)(c) and (2)(b), 130.258(A) and (B)(1) through (7), and 130.259 through 130.261, relative to the Terrebonne Economic Development District; to change the name of the district; to provide for the membership of the board; to provide additional sources of funding and the method of usage of such funds; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 480—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 33:4574(A)(2)(o) and 4574.1-A(A)(1)(o), relative to tourist commissions; to provide for the territorial composition of the Jefferson Davis Parish Tourist Commission; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 746—

BY SENATOR N. GAUTREAUX

AN ACT

To enact Code of Civil Procedure Art. 4843(L), relative to the city courts of Abbeville and Kaplan; to increase the civil jurisdiction of the courts; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 655—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 33:1352(3) and (5), 1353(A)(1), (3), (4) and (B), 1355, 1356, 1357, 1359(A), (B), (D), and (E), and 1360, and to repeal R.S. 33:1352(6) relative to self insurance programs for local housing authorities; relative to administration of self insurance funds; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 730—

BY SENATOR DUPRE

AN ACT

To enact R.S. 17:3390(F), relative to private nonprofit corporations which support public higher education institutions; to provide relative to records of certain payments by such organizations to employees of postsecondary institutions or employees or officers of certain boards; to provide for the application of public records laws; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 874 (Substitute for Senate Bill No. 697 by Senator Irons)—

BY SENATOR IRONS

AN ACT

To enact R.S. 17:3992(A)(3) and 3995(A)(6), relative to the International School of Louisiana and certain other type 2 charter schools; to provide with regard to the funding of certain type 2 charter schools; to mandate full funding of such schools; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 128—

BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 40:1498(A), relative to the Fire Protection District No. 7 of Vermilion Parish; to provide with respect to compensation for certain officers of the governing board; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 72—

BY SENATOR MCPHERSON

AN ACT

To enact Part V-A of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:115, relative to claims against the state; to provide for notification to the Joint Legislative Committee on the Budget of certain claims against the state; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 205—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:3682(13), (16), and (26), 3683(1), (2), and (3)(a), 3684(D) and (E), 3685(B)(8), and 3689(A) and (C), relative to the Harbor Police Retirement System; to provide with respect to definitions; to correct references to citations; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 16—

BY SENATOR B. GAUTREAUX

AN ACT

To enact R.S. 17:183, relative to the hazing of students; to provide for legislative intent; to provide definitions; to prohibit hazing; to require city, parish, and other local public school boards to adopt, enforce, and post hazing policies; to provide for the required content of such policies; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 864—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 33:3815.2(E), relative to powers of waterworks districts; to provide relative to a waterworks district of one parish supplying water to or taking water from an

adjoining parish; to provide certain terms, procedures, and conditions; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 795—

BY SENATOR BOISSIERE

AN ACT

To enact R.S. 42:1111(A)(3), relative to the Code of Governmental Ethics; to provide an exception to the prohibition on the receipt of payment for governmental services by a public servant from a nongovernmental source; to provide relative to the requirements of such exception; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 800—

BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 37:2175.2(C) and to enact R.S. 37:2171.2 relative to contractors; to provide for requirements for issuance of local building permits; to provide for additional requirements for home improvement contractors; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 363—

BY SENATOR HOLDEN

AN ACT

To release the city of Baker School Board from certain obligations owed by the school board to the state of Louisiana; to release and discharge the city of Baker School Board from the interest owed to the state; to provide for a repayment schedule; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 364—

BY SENATOR ROMERO

AN ACT

To enact R.S. 16:2(F), relative to the district attorney for the Sixteenth Judicial District; to provide for contributions from the parish school boards and governing authorities in the parishes of Iberia, St. Mary and St. Martin to defray costs of representation; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 463—

BY SENATOR DARDENNE

AN ACT

To enact R.S. 17:3803(B)(1)(h), relative to the treasurer's investment authority of Louisiana Education Quality Trust Fund monies; to provide for the investment of Louisiana Education Quality Trust Fund monies in certain permitted investments; to provide for an effective date; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Introduction of Resolutions, Senate and Concurrent

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 155—

BY SENATOR HINES

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Gertrude Constance deNux McNeely.

On motion of Senator Hines, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 156—

BY SENATORS FONTENOT AND AMEDEE

A RESOLUTION

To urge and request the Department of Transportation and Development to install a traffic signal at the intersection of Louisiana Highway 442 and Louisiana Highway 43 in Livingston Parish.

On motion of Senator Fontenot, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 157—

BY SENATOR HOLDEN

A RESOLUTION

To commend Sharon McKnight upon her receipt of the Polaris Award.

On motion of Senator Holden, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 164—

BY SENATORS THEUNISSEN, CAIN, AND MOUNT AND REPRESENTATIVES FLAVIN, FRITH, GEYMAN, E. GUILLORY, JOHNS, AND MORRISH

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Algie Breaux, former Calcasieu Parish police juror and dedicated public servant.

The resolution was read by title. Senator Theunissen moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux

Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—35		

NAYS

Total—0

ABSENT

Cravins	Lentini
Hainkel	Schedler
Total—4	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

June 17, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 349—

BY REPRESENTATIVE KENNARD

A CONCURRENT RESOLUTION

To commend Hallie Rice upon her retirement as supervisor of House Administrative Services and to recognize her contributions to the legislature.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Concurrent Resolutions on First Reading

The following House Concurrent Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE CONCURRENT RESOLUTION NO. 349—

BY REPRESENTATIVE KENNARD

A CONCURRENT RESOLUTION

To commend Hallie Rice upon her retirement as supervisor of House Administrative Services and to recognize her contributions to the legislature.

The resolution was read by title; lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON**FINANCE**

Senator Heitmeier, Chairman on behalf of the Committee on Finance, submitted the following report:

June 17, 2004

To the President and Members of the Senate:

I am directed by your Committee on Finance to submit the following report:

HOUSE BILL NO. 2—BY REPRESENTATIVES HAMMETT, ALARIO, AND THOMPSON
AND SENATORS MOUNT AND HEITMEIER**AN ACT**

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
FRANCIS C. HEITMEIER
Chairman

SUPPLEMENTAL REPORT OF COMMITTEE ON**FINANCE**

Senator Heitmeier, Chairman on behalf of the Committee on Finance, submitted the following supplemental report:

June 17, 2004

To the President and Members of the Senate:

I am directed by your Committee on Finance to submit the following supplemental report:

HOUSE CONCURRENT RESOLUTION NO. 15—

BY REPRESENTATIVE BOWLER

A CONCURRENT RESOLUTION

To urge and request the division of administration to study the feasibility of implementing a statewide electronic payment system.

Reported favorably.

HOUSE BILL NO. 20—

BY REPRESENTATIVES SHEPHERD, ALARIO, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOUIN, BAYLOR, BROOME, BRUCE, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CROWE, CURTIS, DANIEL, DARTEZ, DOERGE, DORSEY, DURAND, FAUCHEUX, FRITH, GALLOT, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HEATON, HEBERT, HILL, HONEY, HUDSON, HUNTER, JACKSON, JEFFERSON, JOHNS, LAFLEUR, MARCHAND, MCDONALD, MONTGOMERY, MORRELL, MURRAY, ODINET, PIERRE, PINAC, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, JACK SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, WALKER, AND WINSTON AND SENATORS ADLEY, BAJOE, BOISSIERE, CRAVINS, DUPLESSIS, IRONS, AND JACKSON

AN ACT

To amend and reenact R.S. 1:55(B)(1)(a) and (2), relative to legal holidays observed by the departments of the state; to provide that Dr. Martin Luther King, Jr.'s birthday shall be a state legal holiday; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 225—

BY REPRESENTATIVE FARRAR

AN ACT

To enact R.S. 11:769, relative to the employee contributions of a member of the Teachers' Retirement System of Louisiana; to guarantee payment of a member's accumulated employee contributions to the member, as survivor benefits, or to the member's estate; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 344—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:215(A)(3)(introductory paragraph) and (g), 244, 245(A), and 246(introductory paragraph), (1), (4), (5), (6), and (7) and to enact R.S. 22:215(A)(3)(h), 246(10) and (11), and 246.1, relative to health insurance; to provide with respect to pilot health insurance programs established by the Department of Insurance, including LaChoice; to provide for criteria for such pilot programs; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 619—

BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS HEITMEIER AND HINES

AN ACT

To amend and reenact R.S. 17:3129.6(B), relative to certain state funds; to provide for the use of monies appropriated from the Higher Education Initiatives Fund; to provide for the transfer of certain monies to the Medical Assistance Trust Fund; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 671—

BY REPRESENTATIVE BRUNEAU
AN ACT

To enact R.S. 49:259, relative to state funds; to create the Department of Justice Legal Support Fund as a special fund in the state treasury; to provide for the deposit, uses, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 702—

BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 39:1514(A)(1)(a) and (b), relative to multi-year contracts; to provide contracts for electronic disbursement services for child support payments to be entered into for five years; to provide that contracts for electronic benefits issuance services may be entered into for periods of up to ten years; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 995—

BY REPRESENTATIVE MURRAY
AN ACT

To enact R.S. 42:808(A)(8), relative to the Office of Group Benefits; to provide for the New Orleans district attorney and employees to be eligible for programs offered by the Office of Group Benefits; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1034—

BY REPRESENTATIVE DOVE
AN ACT

To enact R.S. 49:214.8, relative to state funds; to create the Barrier Island Stabilization and Preservation Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1134—

BY REPRESENTATIVES JACKSON AND THOMPSON
AN ACT

To enact R.S. 33:9033.4, to provide with respect to tax increment financing within the parish of East Baton Rouge; to authorize the parish to issue revenue bonds payable from sales tax increments; to authorize the parish to issue revenue bonds payable from ad valorem tax increments; to authorize the parish to designate sales tax areas; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1256—

BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS HEITMEIER AND HINES

AN ACT

To amend and reenact R.S. 39:1496.1(E)(1) and (3) and Section 2 of Act 989 of the 2003 Regular Session of the Legislature, relative to performance-based energy efficiency contracts; to provide for review and execution of such contracts; to provide for the review and evaluation of such contracts; to provide for the effectiveness of the provisions of the Act; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1275—

BY REPRESENTATIVE FUTRELL
AN ACT

To enact R.S. 42:808(A)(8), relative to participation in life, health, or other insurance programs sponsored by the Office of Group Benefits; to expand the definition of eligible employees; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1482—

BY REPRESENTATIVES ALARIO, TRICHE, CAZAYOUX, GALLOT, LAFLEUR, MURRAY, SALTER, AND TOWNSEND AND SENATORS CHAISSON, LENTINI, AND MARIONNEAUX

AN ACT

To appropriate funds for Fiscal Year 2004-2005 to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1483—

BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

Reported with amendments.

HOUSE BILL NO. 1485—

BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2004-2005; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1507—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 33:2201(C)(1), relative to financial security of survivors of law enforcement officers; to provide for payments to surviving parents when there is no surviving spouse; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1542—

BY REPRESENTATIVES SALTER, BROOME, ALARIO, ARNOLD,
AND LANCASTER AND SENATORS HINES, BAJOE, FIELDS,
HEITMEIER, AND JONES

AN ACT

To appropriate the sum of Fifty-six Million Seven Hundred Eighty-four Thousand Four Hundred Seventy-six and No/100 (\$56,784,476.00) Dollars, or so much thereof as may be necessary, out of the state general fund and the sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars out of the state general fund to provide for the Legislative Auditor Ancillary Enterprise Fund, and the sum of Nine Million One Hundred Thirty-seven Thousand Four Hundred Sixty-four and No/100 (\$9,137,464.00) Dollars out of self-generated funds, to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; to provide with respect to appropriations to certain entities within the Department of Public Safety and Corrections; and otherwise to provide with respect to the appropriations and allocations herein made.

Reported favorably.

HOUSE BILL NO. 1628—

BY REPRESENTATIVES ALARIO AND TRICHE

AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations for the funding of said agencies and purposes for the 2003-2004 Fiscal Year; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
FRANCIS C. HEITMEIER
Chairman

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

Senator Heitmeier asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

HOUSE BILL NO. 2—

BY REPRESENTATIVES HAMMETT, ALARIO, AND THOMPSON
AND SENATORS MOUNT AND HEITMEIER

AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Re-reengrossed House Bill No. 2 by Representative Hammett

AMENDMENT NO. 1

In Senate Committee Amendment No. 29, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 6, delete line 17 and 18 and insert:

"On page 21, after line 57, insert the following:

Payable from Fees and Self-Generated Funds (Local Match)	\$500,000
Payable from Transportation Trust Fund - Federal	\$2,000,000
Payable from General Obligation Bonds	
Priority 5	<u>\$2,500,000</u>
Total	<u>\$5,000,000"</u>

AMENDMENT NO. 2

In Senate Committee Amendment No. 53, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 10, between lines 8 and 9, insert "Payable from Fees and Self Generated Revenues \$1,200,000" and on line 13, change "\$6,000,000" to "\$7,200,000"

AMENDMENT NO. 3

In Senate Committee Amendment No. 59, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 11, delete line 16, and insert:

"On page 51, delete line 44, and insert the following:

Payable from Fees and Self-Generated Revenues	\$2,000,000
Payable from Federal Funds	<u>\$750,000</u>
Total	<u>\$2,750,000"</u>

AMENDMENT NO. 4

In Senate Committee Amendment No. 157, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 31, delete lines 36 and 37 and insert the following:

"Payable from State General Fund (Direct)	
Nonrecurring Revenues	\$150,000
Payable from General Obligation Bonds	
Priority 3	<u>\$450,000</u>
Total	<u>\$600,000"</u>

AMENDMENT NO. 5

In Senate Committee Amendment No. 159, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 32, delete lines 3 through 6 and insert the following:

"Payable from State General Fund (Direct)	
Non-recurring Revenues	\$150,000
Payable from General Obligation Bonds	
Priority 2	\$500,000
Priority 5	<u>\$3,000,000</u>
Total	<u>\$3,650,000"</u>

AMENDMENT NO. 6

In Senate Committee Amendment No. 184, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 36, delete lines 55 and 56, and insert:

"Payable from State General Fund (Direct)	
Nonrecurring Revenues	\$25,000
Payable from General Obligation Bonds	
Priority 2	<u>\$50,000</u>
Total	<u>\$75,000"</u>

AMENDMENT NO. 7

In Senate Committee Amendment No. 263, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 53, delete lines 41 through 43, and insert the following:

"Payable from State General Fund (Direct)	
Nonrecurring Revenues	\$80,000
Priority 1	\$100,000
Priority 5	<u>\$900,000</u>
Total	<u>\$1,080,000"</u>

AMENDMENT NO. 8

In Senate Committee Amendment No. 323, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 65, delete lines 23 through 26, and insert the following:

"Payable from State General Fund (Direct)	
Nonrecurring Revenues	\$150,000
Payable from General Obligation Bonds	
Priority 1	\$50,000
Priority 2	\$50,000
Priority 5	<u>\$50,000</u>
Total	<u>\$300,000"</u>

AMENDMENT NO. 9

In Senate Committee Amendment No. 348, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 69, delete lines 56 and 57, and insert the following:

"Payable from State General Fund (Direct)	
Nonrecurring Revenues	\$100,000
Payable from General Obligation Bonds	
Priority 2	<u>\$150,000</u>
Total	<u>\$250,000"</u>

AMENDMENT NO. 10

In Senate Committee Amendment No. 352, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 70, delete lines 44 through 47, and insert the following:

"Payable from State General Fund (Direct)	
Nonrecurring Revenues	\$200,000
Payable from General Obligation Bonds	
Priority 2	\$265,000
Priority 5	<u>\$425,000</u>
Total	<u>\$890,000"</u>

AMENDMENT NO. 11

In Senate Committee Amendment No. 356, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 71, delete lines 51 through 54, and insert the following:

"Payable from the State General Fund (Direct)	
Nonrecurring Revenues	\$25,000
Payable from General Obligation Bonds	
Priority 2	\$185,000
Priority 3	<u>\$115,000</u>
Total	<u>\$325,000"</u>

AMENDMENT NO. 12

In Senate Committee Amendment No. 365, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 73, delete lines 56 and 57, and on page 74, delete lines 1 and 2, and insert the following:

"Payable from State General Fund (Direct)	
Nonrecurring Revenues	\$25,000
Payable from General Obligation Bonds	
Priority 2	\$215,000
Priority 5	<u>\$865,000</u>
Total	<u>\$1,105,000"</u>

AMENDMENT NO. 13

On page 20, at the end of line 38, insert "Local Matching Dollars,"

AMENDMENT NO. 14

On page 20, line 43, change "\$15,000,000" to "\$25,000,000"

AMENDMENT NO. 15

On page 20, line 45, change "\$20,000,000" to "\$30,000,000"

AMENDMENT NO. 16

On page 26, between lines 17 and 18, insert the following:

"(1459) Intelligent Transportation System for Crescent City Connection Division, Planning and Construction (Jefferson, Orleans)	
Payable from the balance of Federal Funds previously allocated to DOTD Office of Engineering under the authority of Act 22 of 2001 for Roadway Signage - Transit and HOV Lanes for Crescent City Connection Bridges	\$750,000

Payable from the balance of Fees and Self-Generated Revenue allocated to DOTD office of engineering under the authority of Act 22 of 2001 for Roadway Signage - Transit and HOV Lanes for Crescent City Connection Bridges	\$450,000
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Payable from the balance of Federal Funds previously allocated to DOTD Office of Engineering under the authority of Act 24 of 2003 for Intelligent Transportation System for Crescent City Connection Transit and HOV Lanes	\$441,580
---	-----------

Payable from the balance of Fees and Self-Generated Revenues allocated to DOTD office of engineering	
--	--

under the authority of Act 24 of 2003 Intelligent Transportation System for Crescent City Connection Transit and HOV Lanes \$164,787

Payable from Federal Funds \$652,783
Total \$2,459,150"

AMENDMENT NO. 17

On page 26, between lines 17 and 18, insert the following:

"(1462) Vehicle Servicing Facilities and Storage Yard, Planning and Construction (Orleans)
Payable from Fees and Self-Generated Revenues \$8,718

Payable from the balance of the Crescent City Connection Division Trust Fund previously allocated to DOTD office of engineering under the authority of Act 1013 of 1991 for Roof Repairs at Algiers and Canal Street Ferry Terminal (Orleans); and Act 645 of 1993 for Crescent City Connections Division Facility Modifications for Compliance with the Americans with Disabilities Act (Orleans); and Act 1096 of 1995 for Terry Parkway Drainage (Jefferson); and Act 1096 of 1995 for Replacement of HVAC for Crescent City Connection Division Maintenance and Police Building (Orleans); and Act 45 of 1996 for Storage Yard for Crescent City Connection Division (Orleans); and Act 28 of 1997 for Ferry Terminals Repairs-New Orleans Area (Jefferson, Orleans, St. Bernard); Act 28 of 1997 for Ferries Drydocking and Repairs-New Orleans Area (Jefferson, Orleans, St. Bernard); and Act 28 of 1997 for Rehabilitation of Ferry M/V Thomas Jefferson-New Orleans Area-Phase 2 (Jefferson, Orleans, St. Bernard); and Act 28 of 1997 for Drainage Repairs for Crescent City Connection Division Maintenance and Police Building (Orleans); and Act 29 of 1998 for Equipment Rehabilitation for Ferry Boats at CCCD (Jefferson, Orleans, St. Bernard); and Act 29 of 1998 for Ferry Drydocking and Repairs for CCCD Ferries (Jefferson, Orleans, St. Bernard); and Act 21 of 2000 for Vehicle Repair Facility for Crescent City Connection Division, Repairs and Renovation (Orleans); and Act 21 of 2000 for Maintenance and Police Building HVAC Replacement and Interior Renovation for Crescent City Connection Division, Planning and Construction (Orleans) \$1,191,282
Total \$1,200,000"

AMENDMENT NO. 18

On page 26, between lines 17 and 18, insert the following:

"(1543) CCCD Administrative Complex, Renovation and Expansion, Planning and Construction (Orleans)

Payable from Fees and Self Generated Revenues \$1,397,067

Payable from the balance of Fees and Self Generated Revenues allocated to DOTD office of engineering under the authority of Act 24 of 2003 Intelligent Transportation System for Crescent City Connection Transit and HOV Lanes \$27,933

Payable from the balance of Fees and Self-Generated Revenues allocated to DOTD Office of Engineering under authority of Act 23 of 2002 for Toll Tag Customer Service Center Expansion and Renovation for the Crescent City Connection Division, Planning and Construction \$1,800,000
Total \$3,225,000"

AMENDMENT NO. 19

On page 27, between lines 14 and 15, insert the following:

"(1531) Community Based Program, Juvenile Justice Improvements, Planning, Construction, Renovations, Acquisitions, and Equipment (Statewide)
Payable from the balance of Fees and Self-Generated Revenue (Risk Management Revenues) previously allocated in Act 21 of 2000 to Swanson Correctional Center for Youth Juvenile Justice Renovations, Planning and Construction (Madison) \$530,000"

AMENDMENT NO. 20

On page 39, at the end of line 5, delete the figure "\$3,000,000" and insert "\$3,900,000"

AMENDMENT NO. 21

On page 39, between line 8 and 9 insert the following:

"() Library, Instructional, and Scientific Equipment, Acquisitions (Statewide)
Payable from State General Fund (Direct) \$205,000
Payable from State General Fund (Direct)
Nonrecurring Revenues \$1,861,000
Total \$2,066,000"

AMENDMENT NO. 22

On page 44, after line 4, insert the following:

"Payable from Fees and Self-Generated Revenues \$1,300,000"

AMENDMENT NO. 23

On page 44, between lines 12 and 13, insert the following:

"Payable from Fees and Self Generated Revenues \$130,000"

AMENDMENT NO. 24

On page 44, on line 16, delete "\$1,300,000" and insert "\$1,430,000"

AMENDMENT NO. 25

On page 46, delete line 28, and insert the following:

"Payable from Fees and Self-Generated Revenues \$1,204,000

Payable from Federal Funds	<u>\$1,296,000</u>
Total	<u>\$2,500,000"</u>

AMENDMENT NO. 26

On page 51, between lines 44 and 45, insert the following:

"Payable from Fees and Self-Generated Revenues	<u>\$2,000,000</u>
Total	<u>\$2,750,000"</u>

AMENDMENT NO. 27

On page 56, between lines 18 and 19, insert the following:

"() Chiller Replacement, Planning and Construction
(Rapides)
Payable from Fees and Self-Generated Revenues \$230,000

Pending submittal and approval of the capital outlay request pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 28

On page 56, line 21, change "Buildings" to "Annex Building, Existing Auditorium and Cafeteria Areas"

AMENDMENT NO. 29

On page 61, between lines 22 and 23, insert the following:

"LEGISLATIVE EXPENSE**24/960 LEGISLATIVE BUDGETARY CONTROL COUNCIL**

(894) Emergency Chiller for Capitol Computer Center,
Acquisitions (East Baton Rouge)
Payable from State General Fund (Direct)
Nonrecurring Revenues \$235,000"

AMENDMENT NO. 30

On page 65, between lines 23 and 24, insert the following:

"50/H14 HOUSING AUTHORITY OF EAST BATON ROUGE

(1512) Hope 6 Revitalization Project, Planning
and Construction (East Baton Rouge)
Payable from General Obligation Bonds
Priority 3 \$500,000
Priority 4 \$500,000
Total \$1,000,000

Pending submittal of capital outlay budget request, but has been approved by the Joint Legislative Committee on Capital Outlay pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 31

On page 66, between lines 14 and 15, insert the following:

"50/J06 AVOYELLES PARISH

() Access Road to Port of Avoyelles,
Planning and Construction (Avoyelles)
Payable from State General Fund (Direct)
Nonrecurring Revenues \$80,000

Pending submittal and approval of capital outlay request pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 32

On page 67, between lines 21 and 22, insert the following:

"(426) Mossville Sewer Collection System, Planning
and Construction (\$1,000,000 Non-State Match)
(Calcasieu)
Payable from State General Fund (Direct)
Nonrecurring Revenues \$100,000"

AMENDMENT NO. 33

On page 78, between lines 19 and 20, insert the following:

"Payable from State General Fund (Direct)
Nonrecurring Revenues \$100,000"

AMENDMENT NO. 34

On page 78, delete line 23, and insert the following:

"Total \$820,000"

AMENDMENT NO. 35

On page 83, between lines 27 and 28, insert the following:

"(474) Water Line Extension, Planning and Construction
(St. Martin)
Payable from State General Fund (Direct)
Nonrecurring Revenues \$60,000

Pending submittal and approval of a capital outlay budget request pursuant to the provisions of R.S. 39:112"

AMENDMENT NO. 36

On page 86, between lines 40 and 41, insert the following:

"() Glenmora Community Center, Planning
and Construction (Rapides)
Payable from State General Fund (Direct)
Nonrecurring Revenues \$50,000

Pending submittal and approval of capital outlay request pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 37

On page 88, between lines 8 and 9, insert the following:

"50/MF1 KENNER

(684) Kenner City Park, Additional Parking
Facilities, Planning and Construction (Jefferson)
Payable from State General Fund (Direct)
Nonrecurring Revenues \$100,000"

AMENDMENT NO. 38

On page 93, line 13, change "General DeGaulle" to "Behrman Place"

AMENDMENT NO. 39

On page 98, between lines 5 and 6, insert the following:

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47th DAY'S PROCEEDINGS

"Payable from State General Fund (Direct)
Nonrecurring Revenues \$25,000"

AMENDMENT NO. 40

On page 98, delete line 9, and insert the following:

"Total \$150,000"

AMENDMENT NO. 41

On page 101, between lines 14 and 15, insert the following:

"(575) Highway 92 Realignment Near Youngsville,
Construction, Right of Way, and Utilities (Lafayette)
Payable from State General Fund (Direct)
Nonrecurring Revenues \$50,000"

AMENDMENT NO. 42

On page 108, between lines 35 and 36, insert the following:

"50/NC1 NELLIE BYERS TRAINING CENTER, INC.

() Handicapped Parking Area, Planning and
Construction (In-Kind Match) (Washington)
Payable from State General Fund (Direct)
Nonrecurring Revenues \$20,000

Pending submittal and approval of capital outlay budget request
pursuant to the provisions of R.S. 39:112"

AMENDMENT NO. 43

On page 115, between lines 41 and 42, insert the following:

"50/NT1 LOUISIANA MEDAL OF HONOR PARK AND MUSEUM

(985) Louisiana Medal of Honor Park and Museum,
Planning and Construction (Plaquemines)
Payable from State General Fund (Direct)
Nonrecurring Revenues \$50,000"

AMENDMENT NO. 44

On page 115, line 43, change "(202)" to "(981)"

AMENDMENT NO. 45

On page 117, delete lines 12 through 22

AMENDMENT NO. 46

On page 119, between lines 29 and 30, insert the following:

"50/N YWCA OF BOGALUSA

() YWCA Renovations, Planning and Construction
(Washington)
Payable from State General Fund (Direct)
Nonrecurring Revenues \$30,000

Pending submittal of a capital outlay budget request, but has been
approved by the Joint Legislative Committee on Capital Outlay
pursuant to R.S. 39:112"

On motion of Senator Heitmeier, the committee amendment was
adopted. Under the provisions of Joint Rule No. 3 of the Rules of
the Senate, the amended bill was read by title and referred to the
Legislative Bureau.

HOUSE BILL NO. 20—

BY REPRESENTATIVES SHEPHERD, ALARIO, ANSARDI, ARNOLD,
BADON, BALDONE, BAUDOUIN, BAYLOR, BROOME, BRUCE,
BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CROWE,
CURTIS, DANIEL, DARTEZ, DOERGE, DORSEY, DURAND,
FAUCHEUX, FRITH, GALLOT, GLOVER, GRAY, E. GUILLORY, M.
GUILLORY, HEATON, HEBERT, HILL, HONEY, HUDSON, HUNTER,
JACKSON, JEFFERSON, JOHNS, LAFLEUR, MARCHAND,
MCDONALD, MONTGOMERY, MORRELL, MURRAY, ODINET,
PIERRE, PINAC, PITRE, T. POWELL, QUEZAIRE, RICHMOND,
RITCHIE, ROMERO, SALTER, JACK SMITH, JOHN SMITH, ST.
GERMAIN, THOMPSON, WALKER, AND WINSTON AND
SENATORS ADLEY, BAJOE, BOISSIERE, CRAVINS, DUPLESSIS,
IRONS, AND JACKSON

AN ACT

To amend and reenact R.S. 1:55(B)(1)(a) and (2), relative to legal
holidays observed by the departments of the state; to provide
that Dr. Martin Luther King, Jr.'s birthday shall be a state legal
holiday; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the
provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was
read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 225—

BY REPRESENTATIVE FARRAR

AN ACT

To enact R.S. 11:769, relative to the employee contributions of a
member of the Teachers' Retirement System of Louisiana; to
guarantee payment of a member's accumulated employee
contributions to the member, as survivor benefits, or to the
member's estate; to provide for an effective date; and to provide
for related matters.

Reported favorably by the Committee on Finance. Under the
provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was
read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 344—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:215(A)(3)(introductory paragraph) and
(g), 244, 245(A), and 246(introductory paragraph), (1), (4), (5),
(6), and (7) and to enact R.S. 22:215(A)(3)(h), 246(10) and (11),
and 246.1, relative to health insurance; to provide with respect
to pilot health insurance programs established by the
Department of Insurance, including LaChoice; to provide for
criteria for such pilot programs; and to provide for related
matters.

Reported favorably by the Committee on Finance. Under the
provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was
read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 619—

BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS
HEITMEIER AND HINES

AN ACT

To amend and reenact R.S. 17:3129.6(B), relative to certain state
funds; to provide for the use of monies appropriated from the
Higher Education Initiatives Fund; to provide for the transfer of

certain monies to the Medical Assistance Trust Fund; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 619 by Representative Alario

AMENDMENT NO. 1

On page 1, line 4, after "Trust Fund;" insert "to provide for the transfer of certain monies to the State General Fund;"

AMENDMENT NO. 2

On page 2, line 20, at the end of the line delete "and specifically" and delete line 21 and insert ", the state treasurer"

AMENDMENT NO. 3

On page 2, delete line 28 and insert the following: "transfer Two Million One Hundred Forty Two Thousand Five Hundred Fifteen and No/100 (\$2,142,515.00) Dollars of unexpended and"

AMENDMENT NO. 4

On page 3, between lines 2 and 3, insert the following:

"Section 6. Notwithstanding any provision of law to the contrary and specifically notwithstanding the provisions of R.S. 23:1514, the state treasurer is authorized and directed to transfer Four Million and No/100 (\$4,000,000.00) Dollars of the unexpended and unencumbered balance in the Employment Security Administration Fund -- Workforce Development Training Account at the end of Fiscal Year 2003-2004 to the State General Fund for health care work force training, to be used in Fiscal Year 2004-2005.

Section 7. Notwithstanding any provision of law to the contrary and specifically notwithstanding the provisions of R.S. 51:2315, the treasurer is authorized and directed to deposit the amount of Two Million and No/100 (\$2,000,000.00) Dollars of Louisiana Economic Development Fund monies to the State General Fund, to be used in Fiscal Year 2004-2005."

AMENDMENT NO. 5

On page 3, line 3, delete "Section 6" and insert "Section 8"

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 671—

BY REPRESENTATIVE BRUNEAU
AN ACT

To enact R.S. 49:259, relative to state funds; to create the Department of Justice Legal Support Fund as a special fund in the state treasury; to provide for the deposit, uses, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 671 by Representative Bruneau

AMENDMENT NO. 1

On page 2, line 19, insert at the end of the line

"Notwithstanding the provisions of Subsection A of this Section, no proceeds shall be deposited into the fund from court-awarded judgments and settlements involving the Department of Transportation and Development."

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 702—

BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 39:1514(A)(1)(a) and (b), relative to multi-year contracts; to provide contracts for electronic disbursement services for child support payments to be entered into for five years; to provide that contracts for electronic benefits issuance services may be entered into for periods of up to ten years; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 702 by Representative Durand

AMENDMENT NO. 1

On page 1, line 17, after "payments," and before "and contracts" insert "contracts for prisoner dialysis."

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 995—

BY REPRESENTATIVE MURRAY
AN ACT

To enact R.S. 42:808(A)(8), relative to the Office of Group Benefits; to provide for the New Orleans district attorney and employees to be eligible for programs offered by the Office of Group Benefits; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1034—

BY REPRESENTATIVE DOVE
AN ACT

To enact R.S. 49:214.8, relative to state funds; to create the Barrier Island Stabilization and Preservation Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1134—

BY REPRESENTATIVES JACKSON AND THOMPSON

AN ACT

To enact R.S. 33:9033.4, to provide with respect to tax increment financing within the parish of East Baton Rouge; to authorize the parish to issue revenue bonds payable from sales tax increments; to authorize the parish to issue revenue bonds payable from ad valorem tax increments; to authorize the parish to designate sales tax areas; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 1134 by Representative Jackson

AMENDMENT NO. 1

On page 1, line 19, change "Subsection O" to "Subsection N"

AMENDMENT NO. 2

On page 2, line 5, after "taxpayers" and before "within" delete "located"

AMENDMENT NO. 3

On page 2, line 10, after "special purpose" change the comma "," to a period "." and delete the remainder of line 10, and delete lines 11 and 12, in their entirety

AMENDMENT NO. 4

On page 6, delete lines 13 through 15

AMENDMENT NO. 5

On page 6, line 16, change "M." to "L."

AMENDMENT NO. 6

On page 6, line 23, change "N." to "M."

AMENDMENT NO. 7

On page 7, line 9, change "O." to "N."

AMENDMENT NO. 8

On page 7, between lines 22 and 23, insert the following:
"(8) Small and emerging businesses in any of the previously listed industries. "Small and emerging business" shall mean a small business as defined by the Small Business Administration of the United States Government which for purposes of size eligibility or other factors meets the applicable criteria set forth in 13 Code of Federal Regulations, Part 121, as amended."

AMENDMENT NO. 9

page 7, at the beginning of line 23, change "(8)" to "(9)"

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1256—

BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS HEITMEIER AND HINES

AN ACT

To amend and reenact R.S. 39:1496.1(E)(1) and (3) and Section 2 of Act 989 of the 2003 Regular Session of the Legislature, relative to performance-based energy efficiency contracts; to provide for review and execution of such contracts; to provide for the review and evaluation of such contracts; to provide for the effectiveness of the provisions of the Act; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 1256 by Representative Alario

AMENDMENT NO. 1

On page 3, line 9, after "contract" and before the period "." insert "at the time that a contract is executed by that proposer"

AMENDMENT NO. 2

On page 3, line 14, after "contract" and before the period "." insert "at the time that a contract is executed by that proposer"

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1275—

BY REPRESENTATIVE FUTRELL

AN ACT

To enact R.S. 42:808(A)(8), relative to participation in life, health, or other insurance programs sponsored by the Office of Group Benefits; to expand the definition of eligible employees; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1482—

BY REPRESENTATIVES ALARIO, TRICHE, CAZAYOUX, GALLOT, LAFLEUR, MURRAY, SALTER, AND TOWNSEND AND SENATORS CHAISSON, LENTINI, AND MARIONNEAUX

AN ACT

To appropriate funds for Fiscal Year 2004-2005 to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1483—

BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 1483 by Representative Alario

AMENDMENT NO. 1

On page 4, line 47, change "\$175,773,903" to "\$175,382,605"

AMENDMENT NO. 2

On page 4, line 50 change "\$164,656,112" to "\$164,264,814"

AMENDMENT NO. 3

On page 4, line 54, change "\$175,773,903" to "\$175,382,605"

AMENDMENT NO. 4

On page 8, line 3, change "\$833,821" to "\$1,787,972"

AMENDMENT NO. 5

On page 8, line 4, change "\$3,215,887" to "\$2,261,736"

AMENDMENT NO. 6

On page 8, line 14, change "\$1,248,967" to "\$1,080,235"

AMENDMENT NO. 7

On page 8, line 15, change "\$713,380" to "\$816,615"

AMENDMENT NO. 8

On page 8, line 19, change "\$1,248,967" to "\$1,080,235"

AMENDMENT NO. 9

On page 8, line 20, change "\$647,883" to "\$816,615"

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1485—

BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2004-2005; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 1485 by Representative Alario

AMENDMENT NO. 1

On page 46, after line 2, insert the following:

"Section 15. Notwithstanding any provision of this Act or any other provision of law to the contrary, of the excess remaining from the Red River Parish distribution after all reimbursements to the tax recipient bodies set forth in Section 9 of this Act have been satisfied, the tax collector in Red River Parish shall not distribute any amount required to be distributed to the village of Edgefield until such time as proof of payment or satisfaction of the consent judgment in the suit entitled "Theresa Graves, et al. v. The Village of Edgefield", bearing Number 32,832 on the Docket of the Thirty-ninth Judicial District Court, parish of Red River, state of Louisiana is submitted to the tax collector."

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1507—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 33:2201(C)(1), relative to financial security of survivors of law enforcement officers; to provide for payments to surviving parents when there is no surviving spouse; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1542—

BY REPRESENTATIVES SALTER, BROOME, ALARIO, ARNOLD,
AND LANCASTER AND SENATORS HINES, BAJOE, FIELDS,
HEITMEIER, AND JONES

AN ACT

To appropriate the sum of Fifty-six Million Seven Hundred Eighty-four Thousand Four Hundred Seventy-six and No/100 (\$56,784,476.00) Dollars, or so much thereof as may be necessary, out of the state general fund and the sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars out of the state general fund to provide for the Legislative Auditor Ancillary Enterprise Fund, and the sum of Nine Million One Hundred Thirty-seven Thousand Four Hundred Sixty-four and No/100 (\$9,137,464.00) Dollars out of self-generated funds, to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; to provide with respect to appropriations to certain entities within the Department of Public Safety and Corrections; and otherwise to provide with respect to the appropriations and allocations herein made.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1628—

BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations for the funding of said agencies and purposes for the 2003-2004 Fiscal Year; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 1628 by Representative Alario

AMENDMENT NO. 1

On page 1, between lines 13 and 14, insert the following:

"Payable out of the State General Fund by
Statutory Dedications out of the
Disability Affairs Trust Fund for
operations \$43,892"

AMENDMENT NO. 2

On page 2, between lines 4 and 5, insert the following:

**"DEPARTMENT OF TRANSPORTATION AND
DEVELOPMENT**

**07-275 PUBLIC WORKS AND INTERMODAL
TRANSPORTATION**

Payable out of the State General Fund by Statutory
Dedications from the Transportation Trust Fund -
Regular (undesignated fund balance) to the Aviation
Program for operations \$694,741

Provided, however, that the commissioner of administration is hereby authorized and directed to adjust the means of finance for the Aviation Program in this Agency, as contained in Act 14 of the 2003 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund by Statutory Dedications out of the Transportation Trust Fund - Regular (Aviation) by the amount of \$694,741."

AMENDMENT NO. 3

On page 2, between lines 10 and 11, insert the following:

"EXPENDITURES:
Payments to Public Providers for
the payment of prior year cost report
settlements to the LSU Health Sciences
Center-Health Care Services Division \$1,646,994

TOTAL EXPENDITURES \$1,646,994

MEANS OF FINANCE:

State General Fund by:
Fees and Self-generated Revenues \$446,994
Federal Funds \$1,200,000

TOTAL MEANS OF FINANCING \$1,646,994

"09-330 OFFICE OF MENTAL HEALTH (STATE OFFICE)

Payable out of the State General Fund by
Interagency Transfers to the Administration
and Support Program for operating expenses \$600,000"

AMENDMENT NO. 4

On page 4, between lines 7 and 8, insert the following:

"19-655 LOUISIANA SPECIAL EDUCATION CENTER

Notwithstanding any other provision of Act 14 of 2003 to the contrary, the Louisiana Special Education Center shall pay, by June 30, 2004, to the Department of Health and Hospitals-Medical Vendor Payments agency, the amount of \$1,287,158; or it shall enter into a cooperative endeavor agreement with the Department of Health and Hospitals which allows the Department of Health and Hospitals-Medical Vendor payments agency to retain a like amount, such amount being deemed the cost of the state's matching share and other costs related to enhanced Medicaid payments received by the Louisiana Special Education Center in Fiscal Year 2003-2004 as a result of revenue maximization activities of the Department of Health and Hospitals."

AMENDMENT NO. 5

On page 4, between lines 11 and 12, insert the following:

"Payable out of the State Fund by
Interagency Transfers for Summer
School and operating costs \$39,651"

AMENDMENT NO. 6

On page 4, on line 25, delete "\$4,012,892" and insert "\$4,387,892"

AMENDMENT NO. 7

On page 4, between lines 33 and 34, insert the following:

**"20-933 GOVERNOR'S CONFERENCES AND INTERSTATE
COMPACTS**

Payable out of the State General Fund (Direct)
for the Delta Regional Authority dues \$98,637"

AMENDMENT NO. 8

On page 5, on line 3, delete "\$1,500,000" and insert "\$2,100,000"

AMENDMENT NO. 9

On page 5, between lines 7 and 8, insert the following:

"Payable out of the State General Fund (Direct)
for deposit into the Medical Assistance Trust
Fund \$8,647,692"

AMENDMENT NO. 10

On page 5, between lines 15 and 16, insert the following:

"Payable out of the State General Fund (Direct)
for deposit into the Higher Education
Initiatives Fund \$3,200,000"

AMENDMENT NO. 11

On page 5, between lines 19 and 20, insert the following:

"Provided, however, the treasurer is hereby authorized and directed to deposit \$50,000 in the Higher Education Initiatives Fund for the Southern University Urban Tourism and Marketing Program out of the Pari-mutuel Live Racing Facility Gaming Control Fund."

AMENDMENT NO. 12

On page 11, between lines 18 and 19, insert the following:

"KK. The sum of Fifty-four Thousand Five Hundred Thirty and 80/100 (\$54,530.80) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Thomas Karrel Ardoin. v. the State of Louisiana, through the Department of Transportation", bearing Number 61,887-B on the Docket of the Thirteenth Judicial District, parish of Evangeline, state of Louisiana.

LL. The sum of Two Hundred Thirty-one Thousand One Hundred Fifty and No/100 (\$231,150.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Rebecca Elliot and Syd Dyer, Jr. v. the state of Louisiana, through the Department of Transportation and Development, Ray Charles Samuels and Clarendon National Ins. Co.", bearing Number 2003 CA 0428 on the Docket of the Eighteenth Judicial District, parish of West Baton Rouge, state of Louisiana.

MM. The sum of Three Thousand Five Hundred and No/100 (\$3,500.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Christine Normand v. the Avoyelles Parish Police Jury, Coregis Insurance Company and Central Louisiana Electric, the state of Louisiana, through the Department of Transportation and Development and the Louisiana State Police", bearing Number 2002-4191- Division "A" on the Docket of the Twelfth Judicial District, parish of Avoyelles, state of Louisiana.

NN. The sum of Five Hundred and No/100 (\$500.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Charles Etta Taylor v. the City of Bossier City, Southern Maid Donut #6, the state of Louisiana, through the Department of Transportation and Development and Traveler's Insurance", bearing Number 104902 on the Docket of the Twenty-sixth Judicial District, parish of Bossier, state of Louisiana.

OO. The sum of Eighty Thousand and No/100 (\$80,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Henrietta Claiborne, and Vernon Martin on behalf of their minor children v. the state of Louisiana, through the Department of Transportation and Development", bearing Number 501-731 on the Docket of the Twenty-fourth Judicial District, parish of Jefferson, state of Louisiana.

PP. The sum of Eighty Thousand and No/100 (\$80,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "David Champagne, Sr., et al. v. Wayne Conway, et al. and the State of Louisiana, through the Department of Transportation and Development", bearing Number 91413-D on the Docket of the Sixteenth Judicial District, parish of Iberia, state of Louisiana.

QQ. The sum of Twenty Thousand and No/100 (\$20,000.00) Dollars is hereby appropriated out of the General Fund of the state

of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Karen Wallace, wife of and William E. Wallace v. the State of Louisiana, through the Department of Transportation and Development", bearing Number 95-66042-"F" on the Docket of the Fifteenth Judicial District, parish of Vermilion, state of Louisiana.

RR. The sum of Thirty Thousand and No/100 (\$30,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Preston Nunez, Jeanette Boudin, Hubert J. Mier, His wife Shirley Mier, Cordell Theriot and Sandra McCammant v. the State of Louisiana, through the Department of Transportation and Development", bearing Number 95-66042-"F" on the Docket of the Fifteenth Judicial District, parish of Vermilion, state of Louisiana.

SS. The sum of One Thousand Eight Hundred Seventy-five and No/100 (\$1,875.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the judgment together with judicial interest thereon from the date of judicial demand until paid and all costs of such proceedings in the suit entitled "Ronnie J. Fuller v. Town of Mansfield, et al.", bearing Number 596314 on the Docket of the Eleventh Judicial District, parish of DeSoto, state of Louisiana.

TT. The sum of Five Million and 00/100 (\$5,000,000) Dollars, plus legal interest from the date of judicial demand until paid in full, is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the judgment, in the suit entitled "Gordean Adella Wingfield, et al. v. State of Louisiana, through the Department of Transportation and Development, Wilson Trailer Company, Inc.", bearing Number 2001 CA 2668, consolidate with Number 2001 CA 2669, on the Docket of the First Circuit, state of Louisiana, on appeal from the Nineteenth Judicial District Court, parish of East Baton Rouge, state of Louisiana, Docket Number 418,074, consolidated with Docket Number 418,842. The sum of Eighty Thousand and No/100 (\$80,000.00) Dollars is hereby appropriated to an escrow account established in the state treasury to be used for payment of costs awarded by the court in the judgment. Interest earnings on monies in the account shall be deposited in and credited to the state general fund. Any monies remaining after satisfying all costs awarded by the court shall be credited to and deposited in the state general fund."

AMENDMENT NO. 13

On page 11, on line 37, delete "\$1,500,000" and insert "\$2,100,000"

AMENDMENT NO. 14

On page 11, after line 42, insert the following:

"(4) 08-450 Department of Public Safety and Corrections- Corrections Services-Adult Community-Based Rehabilitation Programs by \$375,000."

AMENDMENT NO. 15

On page 12, between lines 11 and 12, insert the following:

"Section 6.

"DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

07/277 AVIATION IMPROVEMENTS

Payable from Transportation Trust Fund - Regular

for Aviation Improvements \$6,300,000

Provided, however, that the commissioner of administration is hereby authorized and directed to adjust the means of finance for Aviation Improvements in this agency as contained in Act 24 of the 2003 Regular Session of the Legislature, by reducing the appropriation out of the Transportation Trust Fund by \$6,700,000.

Section 7A. Notwithstanding any provisions of law to the contrary, including provisions of any Capital Outlay Act, the following appropriations are hereby made out of the interest earning from the investment of general obligation bond or note proceeds in the Comprehensive Capital Outlay Escrow Account:

- A. Supplemental Funding
Office of State Parks
Fontainebleau State Park
Project No. 06-264-98B-04 \$900,000
- B. Supplemental Funding
Office of Addictive Disorders
Renovation and /or Replacement of Patient Dormitory
Pines Treatment Center
Project No. 09-351-99B-01 \$200,000
- C. Supplemental Funding
Southern University Baton Rouge
Naval ROTC Building Renovation
Project No. 19-616-96S-02 \$350,000
- D. Supplemental Funding
McNeese State University
Replace HVAC System at Farrar Hall
Emergency Generator Hook Up
Project No. 19-627-01B-01 \$10,000
- E. Supplemental Funding
Division of Administration
Statewide Roofing and Waterproofing and
Related Repairs and Equipment Replacement
Project No. 01-107-97S-03 \$800,000

The appropriation of monies in this Section shall be deemed to be and shall constitute approval by the Joint Legislative Committee on the Budget.

Section 7B. Notwithstanding any provisions of law to the contrary, including provisions of any Capital Outlay Act, the following appropriations are hereby made out of Federal Funds (FEMA):

- A. Supplemental Funding
Louisiana State University - Alexandria
Central Utilities System Repair and Upgrade
Project No. 19-602-99B-01 \$61,000

The appropriation of monies in this Section shall be deemed to be and shall constitute approval by the Joint Legislative Committee on the Budget.

Section 7C. Notwithstanding any provisions of law to the contrary, including provisions of any Capital Outlay Act, the following

appropriation is hereby made out of State General Fund by Fees and Self Generated Revenues.

- A. Supplemental Funding
Secretary's Emergency Fund for Bridge
Damages, Other Reimbursements, Local Matching Dollars,
Federal Funds, and Opportunity
Grants Subject to the Provisions of R.S. 48:232 \$8,000,000

The appropriation of monies in this Section shall be deemed to be and shall constitute approval by the Joint Legislative Committee on the Budget.

Section 7D. Notwithstanding any provisions of law to the contrary, including the provisions of R.S. 39:126, the following capital outlay change orders are hereby approved:

- A. University of New Orleans
Business Administration Building
Project No. 19-603-94B-01
Change order over \$50,000 \$106,923.41
- B. Schepis Foundation, Inc.
Schepis Building Renovation
Project No. 50-M87-00-02
Credit Change Order over \$50,000 \$110,007.00
- C. Louisiana State University
Nicholson Hall Renovations
Baton Rouge, Louisiana
Project No 19-601-91B-06
Change Order over \$50,000 \$475,455.18

Provided, further, that the approval of the change orders in this Section shall be deemed to be and shall constitute approval by the Joint Legislative Committee on the Budget.

Section 8. The State General Fund (Direct) appropriation contained in Act 14 of the 2003 Regular Session of the Legislature in the Department of Transportation and Development, Schedule 07-273 ADMINISTRATION in the amount of \$200,000 for expenses related to the relocation of a DOTD building in Livingston Parish is hereby null and void.

Section 9. The appropriation from the Vernon Parish Community Improvement Fund in the amount of \$100,000, contained in Schedule 20-901 SALES TAX DEDICATIONS of Act 14 of 2003 Regular Session of the Legislature is hereby null and void."

AMENDMENT NO. 16

On page 12, line 12, change "Section 6" to "Section 10"

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

Rules Suspended

Senator Holden asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Resolutions
to be Adopted, Subject to Call**

The following Senate Resolutions to be adopted, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Holden asked that Senate Resolution No. 147 be called from the Calendar at this time.

**SENATE RESOLUTION NO. 147—
BY SENATOR HOLDEN**

A RESOLUTION

To commend John H. Williams upon his retirement as a photo journalist.

On motion of Senator Hainkel, the resolution was read by title and adopted.

**Privilege Report of the
Legislative Bureau**

June 17, 2004

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

**HOUSE BILL NO. 2—
BY REPRESENTATIVES HAMMETT, ALARIO, AND THOMPSON
AND SENATORS MOUNT AND HEITMEIER**

AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Bajoie, the Bills and Joint Resolutions were read by title and passed to a third reading.

**Privilege Report of the
Legislative Bureau**

June 17, 2004

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 20—

BY REPRESENTATIVES SHEPHERD, ALARIO, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOUIN, BAYLOR, BROOME, BRUCE, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CROWE, CURTIS, DANIEL, DARTEZ, DOERGE, DORSEY, DURAND, FAUCHEUX, FRITH, GALLOT, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HEATON, HEBERT, HILL, HONEY, HUDSON, HUNTER, JACKSON, JEFFERSON, JOHNS, LAFLEUR, MARCHAND, MCDONALD, MONTGOMERY, MORRELL, MURRAY, ODINET, PIERRE, PINAC, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, JACK SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, WALKER, AND WINSTON AND SENATORS ADLEY, BAJOE, BOISSIERE, CRAVINS, DUPLESSIS, IRONS, AND JACKSON

AN ACT

To amend and reenact R.S. 1:55(B)(1)(a) and (2), relative to legal holidays observed by the departments of the state; to provide that Dr. Martin Luther King, Jr.'s birthday shall be a state legal holiday; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 225—

BY REPRESENTATIVE FARRAR

AN ACT

To enact R.S. 11:769, relative to the employee contributions of a member of the Teachers' Retirement System of Louisiana; to guarantee payment of a member's accumulated employee contributions to the member, as survivor benefits, or to the member's estate; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 344—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:215(A)(3)(introductory paragraph) and (g), 244, 245(A), and 246(introductory paragraph), (1), (4), (5), (6), and (7) and to enact R.S. 22:215(A)(3)(h), 246(10) and (11), and 246.1, relative to health insurance; to provide with respect to pilot health insurance programs established by the Department of Insurance, including LaChoice; to provide for criteria for such pilot programs; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 619—

BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS HEITMEIER AND HINES

AN ACT

To amend and reenact R.S. 17:3129.6(B), relative to certain state funds; to provide for the use of monies appropriated from the Higher Education Initiatives Fund; to provide for the transfer of certain monies to the Medical Assistance Trust Fund; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 671—
BY REPRESENTATIVE BRUNEAU
AN ACT

To enact R.S. 49:259, relative to state funds; to create the Department of Justice Legal Support Fund as a special fund in the state treasury; to provide for the deposit, uses, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 702—
BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 39:1514(A)(1)(a) and (b), relative to multi-year contracts; to provide contracts for electronic disbursement services for child support payments to be entered into for five years; to provide that contracts for electronic benefits issuance services may be entered into for periods of up to ten years; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 995—
BY REPRESENTATIVE MURRAY
AN ACT

To enact R.S. 42:808(A)(8), relative to the Office of Group Benefits; to provide for the New Orleans district attorney and employees to be eligible for programs offered by the Office of Group Benefits; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1034—
BY REPRESENTATIVE DOVE
AN ACT

To enact R.S. 49:214.8, relative to state funds; to create the Barrier Island Stabilization and Preservation Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1134—
BY REPRESENTATIVES JACKSON AND THOMPSON
AN ACT

To enact R.S. 33:9033.4, to provide with respect to tax increment financing within the parish of East Baton Rouge; to authorize the parish to issue revenue bonds payable from sales tax increments; to authorize the parish to issue revenue bonds payable from ad valorem tax increments; to authorize the parish to designate sales tax areas; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1256—
BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS
HEITMEIER AND HINES
AN ACT

To amend and reenact R.S. 39:1496.1(E)(1) and (3) and Section 2 of Act 989 of the 2003 Regular Session of the Legislature, relative to performance-based energy efficiency contracts; to provide for review and execution of such contracts; to provide for the review and evaluation of such contracts; to provide for the effectiveness of the provisions of the Act; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1275—
BY REPRESENTATIVE FUTRELL
AN ACT

To enact R.S. 42:808(A)(8), relative to participation in life, health, or other insurance programs sponsored by the Office of Group Benefits; to expand the definition of eligible employees; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1482—
BY REPRESENTATIVES ALARIO, TRICHE, CAZAYOUX, GALLOT,
LAFLEUR, MURRAY, SALTER, AND TOWNSEND AND SENATORS
CHAISSON, LENTINI, AND MARIONNEAUX
AN ACT

To appropriate funds for Fiscal Year 2004-2005 to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1483—
BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

Reported without amendments.

HOUSE BILL NO. 1485—
BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2004-2005; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1507—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 33:2201(C)(1), relative to financial security of survivors of law enforcement officers; to provide for payments to surviving parents when there is no surviving spouse; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1542—

BY REPRESENTATIVES SALTER, BROOME, ALARIO, ARNOLD, AND LANCASTER AND SENATORS HINES, BAJOE, FIELDS, HEITMEIER, AND JONES

AN ACT

To appropriate the sum of Fifty-six Million Seven Hundred Eighty-four Thousand Four Hundred Seventy-six and No/100 (\$56,784,476.00) Dollars, or so much thereof as may be necessary, out of the state general fund and the sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars out of the state general fund to provide for the Legislative Auditor Ancillary Enterprise Fund, and the sum of Nine Million One Hundred Thirty-seven Thousand Four Hundred Sixty-four and No/100 (\$9,137,464.00) Dollars out of self-generated funds, to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; to provide with respect to appropriations to certain entities within the Department of Public Safety and Corrections; and otherwise to provide with respect to the appropriations and allocations herein made.

Reported without amendments.

HOUSE BILL NO. 1628—

BY REPRESENTATIVES ALARIO AND TRICHE

AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations for the funding of said agencies and purposes for the 2003-2004 Fiscal Year; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Baje, the Bills and Joint Resolutions were read by title and passed to a third reading.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 17, 2004

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 154—

BY SENATOR MARIONNEAUX

A CONCURRENT RESOLUTION

To urge and request the Joint Legislative Committee on Capital Outlay, with the assistance of and input from the commissioner of administration, to develop recommendations for a new capital outlay budget process that encompasses a true priority system for capital projects throughout the state of Louisiana.

SENATE CONCURRENT RESOLUTION NO. 157—

BY SENATOR HOLLIS

A CONCURRENT RESOLUTION

To urge and request the Joint Legislative Committee on the Budget to form a subcommittee on science and technology to study science and technology issues; to seek ways to increase research and development and the availability of seed capital; to develop incentives to encourage investment; and to facilitate interactions among interested persons.

SENATE CONCURRENT RESOLUTION NO. 158—

BY SENATOR DUPLESSIS

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to enact and fully fund the National Aeronautics and Space Administration's Vision for Space Exploration Program.

SENATE CONCURRENT RESOLUTION NO. 159—

BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to review federal laws, rules, and procedures affecting coastal wetlands activities and permitting in Louisiana, in order to promote effective stewardship by enhancing cooperation and effective communication between federal agencies and Louisiana state and local agencies.

SENATE CONCURRENT RESOLUTION NO. 160—

BY SENATOR FIELDS

A CONCURRENT RESOLUTION

To urge and request the Joint Legislative Committee on the Budget to meet and study the awarding of contracts for telecommunications services provided to inmates to determine if the awards are being made to the lowest responsible bidder and to ensure that the state is not profiting from such services.

SENATE CONCURRENT RESOLUTION NO. 161—

BY SENATOR ULLO AND REPRESENTATIVE TOOMY

A CONCURRENT RESOLUTION

To commend J. M. "Jack" Kyle III upon the occasion of his retirement as Vice President of Government Affairs for Union Pacific Railroad for the state of Louisiana.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 17, 2004

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Bills have been properly enrolled:

SENATE BILL NO. 10—

BY SENATORS DUPRE AND ROMERO AND REPRESENTATIVE BALDONE

AN ACT

To authorize and empower the Terrebonne Parish School Board to negotiate and lease certain described properties to the Terrebonne Council on Aging, Inc.; to provide for execution of lease documents; to provide for reservation of mineral rights; and to provide for related matters.

SENATE BILL NO. 11—

BY SENATOR THEUNISSEN AND REPRESENTATIVE RICHMOND

AN ACT

To enact Chapter 19 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:971 through 974, relative to the Louisiana Commission on Civic Education; to establish the commission; to provide for membership; to provide for purposes of the commission; to provide relative to funding; and to provide for related matters.

SENATE BILL NO. 48—

BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 14:402(E), relative to offenses affecting law enforcement; to provide relative to contraband prohibited in certain correctional facilities; and to provide for related matters.

SENATE BILL NO. 57—

BY SENATOR HOLDEN

AN ACT

To enact R.S. 17:176.1, relative to field trips and extracurricular activities; to require that school boards develop policies and procedures effecting bonding and insurance limits relating to travel or booking agents that provide travel and lodging arrangements for students; to prohibit school principals from approving certain excursions unless in conformity with school board policies and procedures; and to provide for related matters.

SENATE BILL NO. 70—

BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 17:85.5, relative to naming a headstart and community center; to authorize the parish school board in certain parishes to name a headstart and community center in honor of a former

educator and community leader; to provide limitations; and to provide for related matters.

SENATE BILL NO. 73—

BY SENATORS MCPHERSON AND HOLDEN

AN ACT

To amend and reenact R.S. 22:1513(C)(2)(b) and to enact R.S. 22:250.43(C) and 250.48, relative to health insurance coverage; to provide with respect to the dental patient's option to choose services regardless of insurance coverage under specific circumstances; to provide an exception to contract requirements imposed on certain health insurers under certain circumstances; to provide for payment of services to dental providers by insurers; and to provide for related matters.

SENATE BILL NO. 79—

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 40:5.5(E)(2), relative to food safety; to provide with respect to the definition of a "food service establishment"; to exclude food prepared and served at private clubs; to exclude establishments that heat or prepare boudin or sausage for personal consumption; and to provide for related matters.

SENATE BILL NO. 133—

BY SENATOR FIELDS

AN ACT

To enact Part III of Chapter 29 of Title 33 of the Louisiana Revised Statute of 1950, to be comprised of R.S. 33:9097.1, relative to crime prevention and security districts in East Baton Rouge Parish; to create the Concord Estates Crime Prevention District; to provide relative to the purposes, governance, duties, and authority of the district; to authorize the governing authority of East Baton Rouge Parish, subject to the approval of district voters; to impose a parcel fee within the district and to provide relative to such fee; to provide relative to funds of the district; and to provide for related matters.

SENATE BILL NO. 218—

BY SENATOR FIELDS

AN ACT

To enact Part III of Chapter 29 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9097.1, relative to crime prevention and security districts in East Baton Rouge Parish; to create the South Burbank Crime Prevention and Development District; to provide relative to the purposes, governance, duties, and authority of the district; to authorize the governing authority of East Baton Rouge Parish, subject to the approval of district voters, to impose a parcel fee within the district and to provide relative to such fee; to provide relative to funds of the district; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 229—

BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 18:1462(C) and to enact R.S. 18:1462(D)(3), relative to elections; to prohibit the intimidation of a person at a polling place on election day; to prohibit commissioners from carrying weapons while at the polling place; to provide for penalties; and to provide for related matters.

SENATE BILL NO. 231—

BY SENATOR SCHEDLER AND REPRESENTATIVE GARY SMITH
AN ACT

To amend and reenact R.S. 18:431(C) and 553(B)(4), relative to proposed constitutional amendments; to provide relative to statements summarizing proposed constitutional amendments by the secretary of state; to require that such statements be posted on the internet; to require that such statements shall be posted at the polling places on election day throughout the entire day; and to provide for related matters.

SENATE BILL NO. 290—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:1938(C) and (F)(2) and to enact R.S. 11:107, 723(C), 1925(G), relative to Parochial Employees' Retirement System; to provide with respect to deferred retirement option plan; to provide with respect to additional employer contributions; to provide with respect to members employed in other state employment; to provide for direct rollovers in certain circumstances for purchase of creditable service; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 337—

BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 24:513(I)(1)(c)(i)(aa), relative to audit requirements; to provide that monies received from urban or rural development grants shall not be included in the computation of threshold limits for audit requirements; and to provide for related matters.

SENATE BILL NO. 432—

BY SENATOR JONES AND REPRESENTATIVES HUNTER, MURRAY AND RICHMOND

AN ACT

To amend and reenact R.S. 23:1141(B) and 1143(B)(1), relative to workers' compensation; to provide with respect to attorney fees in workers' compensation matters; and to provide for related matters.

SENATE BILL NO. 492—

BY SENATOR SCHEDLER

AN ACT

To enact R.S. 40:2009.24, relative to nursing homes; to provide for the creation of the Nursing Home Quality and Efficiency Board; to provide for membership of the board; to provide for the functions and duties of the board; to provide for rule making by the Department of Health and Hospitals; and to provide for related matters.

SENATE BILL NO. 553—

BY SENATOR DUPRE

AN ACT

To enact R.S. 22:1430.18, relative to property insurance; to provide certain requirements for coverage and issuance of property insurance by the Louisiana Citizens Property Insurance Corporation; and to provide for related matters.

SENATE BILL NO. 564—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 9:315.9(A)(6), 315.18(B)(1)(introductory paragraph) and (C), and 374(C) and to enact R.S. 9:315.9(A)(7) and to repeal R.S. 9:315.18(D), relative to child support; to provide for awarding a dependency exemption; to provide for the pro rata sharing of uncovered medical expenses in a shared custody arrangement; to provide relative to rental or mortgage note reimbursement when sole use of the home is made; and to provide for related matters.

SENATE BILL NO. 579 (Duplicate of House Bill No. 744)—

BY SENATOR JONES AND REPRESENTATIVE LANCASTER AND COAUTHORED BY REPRESENTATIVES BROOME, HAMMETT AND SALTER

AN ACT

To enact R.S. 44:22, relative to public records; to exempt certain records in the custody of the Department of Economic Development pertaining to negotiations relative to economic development activities from the laws relative to public records until negotiations are concluded; to provide for certain determinations by the secretary of the Department of Economic Development; to provide for notice; and to provide for related matters.

SENATE BILL NO. 594—

BY SENATOR BAJOE AND REPRESENTATIVE K. CARTER

AN ACT

To enact Part IX of Chapter 4 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:571.61, relative to post-release facilities; to provide for a pilot program in the Department of Public Safety and Corrections; to provide for the duties of the department; to provide for reports; and to provide for related matters.

SENATE BILL NO. 603—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 46:2136.2(F), relative to Domestic Abuse Assistance, to provide for the Louisiana Protective Order Registry; to provide for release of information from the Protective Order Registry to the Department of Health and Hospitals, bureau of protective services, the Governor's Office of Elderly Affairs, elderly protective services, and the office of the attorney general; and to provide for related matters.

SENATE BILL NO. 617—

BY SENATOR ULLO AND REPRESENTATIVE RICHMOND

AN ACT

To enact R.S. 17:3129.7, relative to the Board of the Regents; to require the development and maintenance of a state student financial aid plan; to provide relative to legislative review and approval; and to provide for related matters.

SENATE BILL NO. 645—

BY SENATOR HINES AND REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 40:961(7), (8), (9), (10), (13), (14), (15), (20), (21), (24), (27), (32), (34), and (38), to enact R.S. 40:961(39), (40) and (41), and to rename Part X of Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950, relative to uniform controlled substances law; to provide for changes in

definitions to conform with federal law; and to provide for related matters.

SENATE BILL NO. 662—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 40:964(Schedule III)(D)(3) and (4), relative to classification of controlled dangerous substances; to substitute hydrocodone for dihydrocodeinone as a Schedule III controlled dangerous substance; and to provide for related matters.

SENATE BILL NO. 701—

BY SENATOR BAJOE

AN ACT

To enact R.S. 46:1441.14, relative to family child care providers; to provide for required participation in orientation sessions; to provide that orientation programs shall be approved by the Department of Social Services or the Department of Education; and to provide for related matters.

SENATE BILL NO. 710—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 34:855.3(E) and (F), relative to the regulation of personal watercraft; to change the age requirement to sixteen years of age to operate a personal watercraft; to authorize a person thirteen years of age or older on January 1, 2005, until they reach the age of sixteen, to operate a personal watercraft if they have completed a boating safety education course; and to provide for related matters.

SENATE BILL NO. 743—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 29:655(D) and the introductory paragraph of 657(A), relative military affairs; to provide certain benefits for Civil Air Patrol members who are injured or killed or become ill during performance of their duties; and to provide for related matters.

SENATE BILL NO. 744—

BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 16:11(A)(2), relative to the annual salary of assistant district attorneys payable by the state; to authorize certain district attorneys to reallocate the total amount fixed for the annual salary of their assistant district attorneys; and to provide for related matters.

SENATE BILL NO. 767—

BY SENATOR HAINKEL

AN ACT

To enact R.S. 41:1702(J), relative to certain waters; to provide relative to uses of the water bottom of Lake Pontchartrain; to provide certain terms, conditions, and requirements; and to provide for related matters.

SENATE BILL NO. 770—

BY SENATOR FIELDS

AN ACT

To enact R.S. 17:1519.2(B)(1)(i), relative to University Medical Center in Baton Rouge; to provide for the establishment of such an entity; and to provide for related matters.

SENATE BILL NO. 772—

BY SENATORS MALONE AND JACKSON AND REPRESENTATIVE M. POWELL

AN ACT

To enact R.S. 17:85.6, relative to naming school auditoriums; to authorize the parish school board in certain parishes to name school auditoriums in honor of former principals; to provide limitations; and to provide for related matters.

SENATE BILL NO. 51—

BY SENATOR ULLO AND REPRESENTATIVES ALEXANDER, BADON, HONEY, KENNEY, T. POWELL AND M. POWELL

AN ACT

To amend and reenact R.S. 17:47(C)(1)(a) and (b) and 1201(C)(1)(b), relative to sick leave for certain employees of public schools; to specify the time period required to be provided to such employees who are injured or disabled under specified circumstances; to provide relative to the extension of such time period; to provide relative to physician certification of such injury or disability; to provide an effective date; and to provide for related matters.

SENATE BILL NO. 219—

BY SENATORS DARDENNE, BAJOE AND HINES

AN ACT

To enact R.S. 46:977 and 1906(C), relative to the immunization of certain juveniles; to provide with respect to the Hepatitis B vaccine for juveniles in state custody; and to provide for related matters.

SENATE BILL NO. 224—

BY SENATORS MALONE AND NEVERS AND REPRESENTATIVES ALEXANDER, BADON, CROWE, DOWNS, FANNIN, HONEY, M. POWELL, T. POWELL, RITCHIE, JANE SMITH AND TRAHAN

AN ACT

To amend and reenact R.S. 17:3048.1(K)(1), relative to the Louisiana Tuition Opportunity Program; to provide for use of a program award by a student for any cost of attendance for such student at an eligible public college or university as determined in accordance with specified guidelines; and to provide for related matters.

SENATE BILL NO. 275—

BY SENATOR NEVERS AND REPRESENTATIVES E. GUILLORY, STRAIN, WADDELL AND WINSTON

AN ACT

To amend R.S. 17:1519.6(C) and to enact R.S. 17:1519.3(E), (F), and (G), relative to the Louisiana State University Health Sciences Center-New Orleans; to provide with respect to reports to be submitted to the Senate and House committees on health and welfare; to provide for specific information and reports to be supplied to the committees; to provide for payment methodology; and to provide for related matters.

SENATE BILL NO. 356—

BY SENATORS CHEEK AND JACKSON AND REPRESENTATIVES BAYLOR AND GLOVER

AN ACT

To amend and reenact R.S. 33:2711.15(A), (C)(1), (C)(2), the introductory paragraph of (C)(3), and (C)(4) and to enact R.S. 33:2711.15(F) and 2740.38, and to repeal Act No. 573 of the 1975 Regular Session, Act No. 554 of the 1978 Regular Session, Act No. 411 of the 1980 Regular Session, Act No. 163 of the 1984 Regular Session, and Act No. 265 of the 2003 Regular Session, relative to local sales and use taxes and the Shreveport Downtown Development District; to provide for renewal of certain additional sales and use taxes imposed by the city of Shreveport for use by the fire and police departments; to codify certain existing laws governing the creation and powers, duties, functions, and responsibilities of the Shreveport Downtown Development District; to provide for the composition and powers of the governing board; to provide for preparation of plans; to provide for the levy of ad valorem taxes and the issuance of bonds; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 691—

BY SENATOR JACKSON AND REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 46:153.3(D)(2)(introductory paragraph) and R.S. 46:153.3(D)(2)(m), relative to the Medicaid Pharmaceutical and Therapeutics Committee; to provide for changes with respect to who shall be appointed to the committee; and to provide for related matters.

SENATE BILL NO. 693—

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 18:1280.21 and 18:1280.25, to provide relative to the presidential preference primary; to provide relative to the participation of persons registered as an independent or not otherwise registered in a recognized political party; and to provide for related matters.

SENATE BILL NO. 709—

BY SENATOR MICHOT AND REPRESENTATIVE THOMPSON

AN ACT

To amend and reenact Code of Civil Procedure Article 4918 and to enact R.S. 44:137(D), (E), (F), (G) and (H), relative to public records; to provide for the disposition of original records filed by the clerks of court; to provide for evidentiary status of reproductions of such records; to provide for an effective date; to provide for the recordation of certain cases of certain courts; and to provide for related matters.

SENATE BILL NO. 778—

BY SENATORS BARHAM AND DARDENNE AND REPRESENTATIVES BEARD, DANIEL AND THOMPSON

AN ACT

To amend and reenact R.S. 11:515(3), 826, 1165, 1168, and 1303, relative to certain public retirement systems; to require approval of the annual operating budgets of certain public retirement systems by the Joint Legislative Committee on the Budget; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 799—

BY SENATOR MOUNT AND REPRESENTATIVE GLOVER

AN ACT

To enact R.S. 40:600.1(B)(6), (7), and (8), 600.2(12) and 600.6(A)(26), relative to the Louisiana Housing Finance Agency; to provide for findings; to provide for a definition of subsidiary; to provide for authority for the agency to sponsor a statewide community housing development organization; to provide with respect to the funding of loans and financing of pools of loans; and to provide for related matters.

SENATE BILL NO. 821—

BY SENATORS BAJOE AND CHEEK AND REPRESENTATIVE RICHMOND

AN ACT

To enact R.S. 36:259(II) and 919.7 and Chapter 46-A of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2616 through 2618, relative to diabetes; to create the Louisiana Diabetes Initiatives Council in the Department of Health and Hospitals; to provide for the membership, powers, and duties of the board; and to provide for related matters.

SENATE BILL NO. 843—

BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 46:285(A)(2) and to enact R.S. 46:285(A)(6) and (7), relative to child protection and foster care workers; to provide that such workers shall be trained in specific legal provision; and to provide for related matters.

SENATE BILL NO. 806 (Substitute for Senate Bill No. 158 by Senator Dupre)—

BY SENATOR DUPRE AND REPRESENTATIVE DOERGE AND COAUTHORED BY SENATORS MCPHERSON, ROMERO AND ULLO AND REPRESENTATIVES ALARIO, ANSARDI, ARNOLD, BALDONE, BAUDOUIN, BAYLOR, BOWLER, BROOME, BRUCE, BRUNEAU, BURNS, BURRELL, R. CARTER, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DORSEY, DOVE, DOWNS, DURAND, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, GALLOT, GRAY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, JACKSON, JEFFERSON, JOHNS, KENNEY, LANCASTER, MARCHAND, MARTINY, McDONALD, MONTGOMERY, MURRAY, ODINET, PITRE, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, SCHNEIDER, SHEPHERD, GARY SMITH, JACK SMITH, JANE SMITH, ST. GERMAIN, THOMPSON, TOOMY, TOWNSEND, TRICHE, WADDELL, WALKER, WOOTON AND WRIGHT

A JOINT RESOLUTION

Proposing to amend Section 20(A) of Article VII of the Constitution of Louisiana, relative to the homestead exemption from ad valorem property taxes; to provide persons eligible for the homestead exemption and for the valuation of land which is the homestead; to provide for the homestead exemption for homesteads owned in indivision and for fields in which there is timber; to provide for the application of the exemption to the surviving spouse, testamentary or irrevocable trusts, usufructuaries, and to property occupied by a buyer under a bond for deed contract under certain conditions; to prohibit more than one exemption for any person; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

SENATE BILL NO. 243—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:62 (introductory paragraph) and (5)(a) and (c) and R.S. 24:36(A), (C)(1) and (2), and (E)(3), relative to the Louisiana State Employees' Retirement System; to include

the attorney general, certain legislative employees, and the secretary of state as members eligible to receive additional benefits; to provide with respect to service credit; to provide for credit for service previously rendered; to provide for additional contributions; to provide for computation of benefits payable; to provide for membership; to provide for an effective date; and to provide for related matters.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

Message to the Governor

SIGNED SENATE BILLS

June 17, 2004

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bills:

SENATE BILL NO. 659— BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 14:2(13)(m), the introductory paragraph of R.S. 14:43.2(A) and (C), 78.1(B)(1), 107.2(A), R.S. 46:1844(W)(2), Code of Criminal Procedure Arts. 571.1 and 893.3(E)(1)(b), Code of Evidence Art. 412.1, relative to sexual battery; to rename the offense of aggravated sexual battery to second degree sexual battery; and to provide for related matters.

SENATE BILL NO. 689— BY SENATOR JACKSON AND REPRESENTATIVE DURAND **AN ACT**

To amend and reenact R.S. 46:153.3(B)(2)(a)(introductory paragraph) and (b) and to enact R.S. 46:153.3(B)(2)(e), relative to the medical assistance drug program; to provide for the utilization of a prior approval process and criteria related thereto; to provide for rulemaking; to provide for an annual report to the legislature and governor; and to provide for related matters.

SENATE BILL NO. 716— BY SENATORS HANKEL AND MARIONNEAUX AND REPRESENTATIVES ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BEARD, BOWLER, BROOME, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CROWE, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GEYMAN, GLOVER, GRAY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, LABRUZZO, LAFLEUR, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, RITCHIE, ROMERO, SALTER, SCALISE, SCHNEIDER, SHEPHERD, SMILEY, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON AND WRIGHT **AN ACT**

To enact R.S. 1:58.3, relative to state holidays; to establish Ronald Reagan Day as an annual observance; and to provide for related matters.

SENATE BILL NO. 758— BY SENATOR JONES AND REPRESENTATIVE GLOVER **AN ACT**

To enact R.S. 33:2711.20, relative to municipal sales and use taxes; to authorize the governing authority of the city of Monroe to levy and collect an additional sales and use tax; to provide for voter approval; to provide for a termination date of such authority; and to provide for related matters.

SENATE BILL NO. 761— BY SENATOR SCHEDLER **AN ACT**

To amend and reenact Subsection M(1) of Section 2.1 of Act No. 180 of the 1984 Regular Session of the Legislature, as amended by Act 562 of the 2003 Regular Session of the Legislature, relative to the St. Tammany Parish Hospital Service Districts No. 1 and 2; to require the board of commissioners of St. Tammany Parish Hospital Service District No. 2 to appoint an advisory committee; and to provide for related matters.

SENATE BILL NO. 801— BY SENATOR ROMERO **AN ACT**

To amend and reenact R.S. 47:337.3 and to enact R.S. 33:2737.77, relative to authorizing political subdivision sales and use tax; to authorize such political subdivisions, with voter approval, to renew or continue any such tax; to provide for the purposes for which such tax proceeds may be used; and to provide for related matters.

SENATE BILL NO. 808— BY SENATOR HINES **AN ACT**

To enact R.S. 40:1300.143(3)(d), relative to the rural hospital preservation act; to require certification by the Rural Hospital Coalition, Inc., as a prerequisite to being designated as a rural hospital; and to provide for related matters.

SENATE BILL NO. 826— BY SENATOR JACKSON **AN ACT**

To enact R.S. 40:5.12, relative to public health; to provide for the creation of an advisory board to establish a standard school health form; to provide for members of the advisory board; to provide for duties of the advisory board; and to provide for related matters.

SENATE BILL NO. 835— BY SENATOR BOISSIERE AND REPRESENTATIVES RICHMOND AND SCHNEIDER **AN ACT**

To enact R.S. 11:269, relative to state and statewide public retirement or pension systems, funds and plans; to require consultants and money managers to disclose relationships; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 840—
BY SENATOR JACKSON

AN ACT

To enact R.S. 40:1300.163(F), relative to hepatitis C education; to encourage educational initiatives regarding veterans; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the House

**SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS**

June 17, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

HOUSE BILL NO. 1108—

BY REPRESENTATIVE ERDEY

AN ACT

To amend and reenact R.S. 47:1907(A)(1), relative to annual compensation of tax assessors; to provide for alternative population data for establishing the maximum compensation rate; to provide for the compensation in parishes with a population of four hundred thousand or more; and to provide for related matters.

HOUSE BILL NO. 1652—

BY REPRESENTATIVES THOMPSON AND STRAIN AND SENATOR NEVERS

AN ACT

To amend and reenact R.S. 17:3041.10 and 3041.11 and to enact Chapter 20-A-2 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3041.21 through 3041.26, relative to the tuition payment program for medical school students; to provide relative to program eligibility criteria, purposes, definitions, number of recipients, and contractual obligations; and to provide for related matters.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

June 17, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 202—

BY REPRESENTATIVES JOHN SMITH, SCHNEIDER, TRAHAN, AND TRICHE

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to review and consider eliminating provisions of law which reduce social security benefits for those receiving benefits from federal, state, or local government retirement systems.

HOUSE CONCURRENT RESOLUTION NO. 212—

BY REPRESENTATIVE HUNTER

A CONCURRENT RESOLUTION

To create and provide with respect to a Workers' Compensation Medical Reimbursement Task Force to study the medical reimbursement schedule and its formulas to make recommendations regarding legislation.

HOUSE CONCURRENT RESOLUTION NO. 246—

BY REPRESENTATIVE BURNS

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Veterans Affairs to take appropriate measures to raise awareness of educational benefits available to surviving spouses and dependents of members of the military who have been killed or disabled in military service.

HOUSE CONCURRENT RESOLUTION NO. 263—

BY REPRESENTATIVE DOWNS

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to study the need for and feasibility of establishing a single board for the governance, management, and supervision of all public postsecondary education, including but not limited to the advantages and disadvantages of such a governance structure and any potential cost savings associated therewith, and to report study findings and recommendations in writing to the legislature, with copies sent to the House Committee on Education and the Senate Committee on Education at least sixty days prior to the start of the 2005 Regular Session.

HOUSE CONCURRENT RESOLUTION NO. 269—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to oppose the Equal Employment Opportunity Commission's (EEOC) rule that allows employers to reduce or eliminate retiree health benefits offered to older, Medicare-eligible retirees.

HOUSE CONCURRENT RESOLUTION NO. 296—

BY REPRESENTATIVE WRIGHT

A CONCURRENT RESOLUTION

To urge and request the Board of Regents, in collaboration with the public postsecondary education management boards, to study issues relative to the admission of students into the clinical portion of nurse training programs offered at public postsecondary education institutions and to submit a written report of its findings and recommendations to the House Committee on Education and the Senate Committee on Education prior to the beginning of the 2005 Regular Session.

HOUSE CONCURRENT RESOLUTION NO. 298—

BY REPRESENTATIVE CRANE

A CONCURRENT RESOLUTION

To urge and request the public postsecondary education management boards to use the authority granted each of them by R.S. 17:3351(A)(5)(b)(i) and establish, by not later than the Fall semester of the 2005-2006 academic year, tuition and mandatory attendance fee amounts applicable to nonresident students at institutions under their respective supervision and management that at least equal the average amount of annual tuition and mandatory attendance fees for the ensuing fiscal year applicable to nonresident students at institutions in states comprising the Southern Regional Education Board, excluding Louisiana, which are in the same category as established by the Southern Regional Education Board.

HOUSE CONCURRENT RESOLUTION NO. 307—

BY REPRESENTATIVE CROWE

A CONCURRENT RESOLUTION

To urge and request the Federal Court to reconsider its decision in the *Henderson v. Stalder* case regarding issuance of special prestige license plates and to lift the court-ordered injunction prohibiting the office of motor vehicles from issuing special prestige license plates to new applicants.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

Leaves of Absence

The following leaves of absence were asked for and granted:

Cheek	½ Day	Fields	½ Day
B. Gautreaux	½ Day	Hainkel	½ Day
Heitmeier	½ Day	Jackson	½ Day
Jones	½ Day	Lentini	1 Day
McPherson	½ Day		

Adjournment

Senator McPherson moved that the Senate adjourn until Friday, June 18, 2004, at 9:30 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:30 o'clock A.M. on Friday, June 18, 2004.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk

